

**EIGHTY-SIXTH GENERAL ASSEMBLY  
2015 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MAY 21, 2015

**HOUSE FILE 614**

**H-1366**

1 Amend House File 614 as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <DIVISION I  
4 FIREWORKS REGULATION>  
5 2. Page 2, line 26, by striking <four> and  
6 inserting <eight>  
7 3. Page 2, line 30, by striking <two> and inserting  
8 <four>  
9 4. Page 2, line 34, by striking <two> and inserting  
10 <four>  
11 5. Page 4, line 24, by striking <seller license>  
12 6. Page 4, line 27, by striking <seller license>  
13 7. Page 4, line 28, by striking <seller license>  
14 8. Page 4, line 32, after <section> by inserting  
15 <and section 100.19A>  
16 9. Page 4, line 35, after <3> by inserting <and the  
17 fees collected by the state fire marshal under section  
18 100.19A for wholesaler registration>  
19 10. Page 5, after line 16 by inserting:  
20 <Sec. \_\_\_\_ . NEW SECTION. 100.19A Consumer fireworks  
21 wholesaler ---- registration ---- penalty.  
22 1. For purposes of this section:  
23 a. "Consumer fireworks" means first-class consumer  
24 fireworks and second-class consumer fireworks, as those  
25 terms are defined in section 100.19.  
26 b. "Wholesaler" means a person who engages in the  
27 business of selling or distributing consumer fireworks  
28 for the purpose of resale in this state.  
29 2. The state fire marshal shall adopt rules to  
30 require all wholesalers to annually register with  
31 the state fire marshal. The state fire marshal may  
32 also adopt rules to regulate the storage or transfer  
33 of consumer fireworks by wholesalers and to require  
34 wholesalers to maintain insurance.  
35 3. The state fire marshal shall establish an  
36 annual registration fee of one thousand dollars for  
37 wholesalers of consumer fireworks within the state.  
38 Registration fees collected pursuant to this section  
39 shall be deposited in the consumer fireworks fee fund  
40 created in section 100.19, subsection 6.  
41 4. A person who violates a provision of this  
42 section or a rule adopted pursuant to this section is  
43 guilty of a simple misdemeanor.>  
44 11. Page 6, line 9, by striking <resolution  
45 suspend the use of display> and inserting <ordinance  
46 or resolution limit or restrict the use of consumer  
47 fireworks or display>  
48 12. Page 6, line 11, after <safety> by inserting  
49 <or private property, or if the board determines that  
50 the use of such devices would constitute a nuisance to

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1 neighboring landowners>  
2 13. Page 6, line 18, by striking <resolution  
3 suspend> and inserting <ordinance or resolution  
4 prohibit>  
5 14. Page 6, by striking lines 20 through 22 and  
6 inserting <novelties, as described in section 727.2.>  
7 15. Page 8, line 10, by striking <suspended by a  
8 resolution> and inserting <prohibited or limited by an  
9 ordinance>  
10 16. Page 8, lines 30 and 31, by striking <suspended  
11 by a resolution> and inserting <prohibited or limited  
12 by an ordinance>  
13 17. Page 9, by striking lines 23 and 24 and  
14 inserting <misdemeanor. A court shall not order  
15 imprisonment for violation of this subsection.>  
16 18. Page 10, by striking lines 4 and 5 and  
17 inserting:  
18 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
19 of this Act, being deemed of immediate importance,  
20 takes effect upon enactment.  
21 DIVISION \_\_\_\_  
22 RULEMAKING  
23 Sec. \_\_\_\_\_. EMERGENCY RULES. The state fire  
24 marshal shall adopt emergency rules under section  
25 17A.4, subsection 3, and section 17A.5, subsection 2,  
26 paragraph "b", to implement the provisions of this  
27 Act and the rules shall be effective immediately upon  
28 filing unless a later date is specified in the rules.  
29 Any rules adopted in accordance with this section shall  
30 also be published as a notice of intended action as  
31 provided in section 17A.4.  
32 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
33 of this Act, being deemed of immediate importance,  
34 takes effect upon enactment.>  
35 19. Title page, line 2, by striking <and providing  
36 penalties> and inserting <, providing fees and  
37 penalties, and including effective date provisions>  
38 20. By renumbering as necessary.

By WINDSCHITL of Harrison

**H-1366** FILED MAY 20, 2015

**HOUSE FILE 614**

**H-1368**

1 Amend the amendment, H-1366, to House File 614 as  
2 follows:  
3 1. Page 2, by striking lines 10 through 12 and  
4 inserting:  
5 <\_\_\_\_\_. Page 8, lines 30 and 31, by striking  
6 <suspended by a resolution adopted by the city> and  
7 inserting <prohibited or limited by an ordinance  
8 adopted by the county or city>  
9 2. By renumbering as necessary.

By WINDSCHITL of Harrison

**H-1368** FILED MAY 20, 2015

HOUSE FILE 614

H-1380

1 Amend the amendment, H-1366, to House File 614 as  
2 follows:

3 1. Page 2, by striking lines 18 through 20 and  
4 inserting:

5 <<Sec. \_\_\_\_ . EFFECTIVE DATE. This division of this  
6 Act takes effect December 1, 2015.>

**By** WINDSCHITL of Harrison

H-1380 FILED MAY 20, 2015

SENATE FILE 510

H-1367

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 6, before line 8 by inserting:

5 <DIVISION \_\_\_\_\_  
6 DISTRICT COST PER PUPIL BUDGET ADJUSTMENT

7 Sec. \_\_\_\_\_. Section 257.2, subsection 2, Code 2015,  
8 is amended by striking the subsection.

9 Sec. \_\_\_\_\_. NEW SECTION. 257.14A District cost  
10 per pupil equity ---- budget adjustment ---- budget year  
11 2015-2016.

12 1. The board of directors of a school district  
13 that has a cash reserve balance on July 1, 2015,  
14 that exceeds an amount equal to five percent of the  
15 district's general fund expenditures for the year  
16 previous to the base year and with a regular program  
17 district cost per pupil for the budget year beginning  
18 July 1, 2015, that is less than the highest regular  
19 program district cost per pupil among all school  
20 districts in the state for the budget year beginning  
21 July 1, 2015, that wishes to receive the budget  
22 adjustment under this section shall adopt a resolution  
23 within thirty days after the effective date of this  
24 division of this Act, and shall notify the department  
25 of management of the adoption of the resolution and the  
26 amount of the budget adjustment to be received.

27 2. a. For the budget year beginning July 1, 2015,  
28 each school district that satisfies the requirements of  
29 subsection 1 shall be eligible for a budget adjustment  
30 for that budget year in an amount not to exceed the  
31 difference between the school district's regular  
32 program district cost per pupil and the highest regular  
33 program district cost per pupil among all school  
34 districts in the state multiplied by the district's  
35 budget enrollment. The resolution adopted under  
36 subsection 1 may specify a budget adjustment amount  
37 that is equal to or less than the maximum amount  
38 authorized under this paragraph "a".

39 b. The school district shall fund the budget  
40 adjustment increase either by using moneys from its  
41 unexpended fund balance or by using cash reserve  
42 moneys. However, the cash reserve levy under section  
43 298.10 or any other property tax levy of the school  
44 district shall not be increased for the budget year  
45 beginning July 1, 2015, to offset or replace the moneys  
46 used to fund the budget adjustment under this section.

47 3. A budget adjustment received under this section  
48 shall not affect the eligibility for or amount of any  
49 other budget adjustment authorized by law for the same  
50 budget year. In addition, a budget adjustment under

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1 this section shall be limited to the budget year for  
2 which the adjustment was authorized and shall not be  
3 included in any computation of a school district's cost  
4 for any future budget year.

5 Sec. \_\_\_\_\_. Section 257.34, Code 2015, is amended to  
6 read as follows:

7 257.34 Cash reserve information.

8 1. If a school district receives less state school  
9 foundation aid under section 257.1 than is due under  
10 that section for a base year and the school district  
11 uses funds from its cash reserve during the base year  
12 to make up for the amount of state aid not paid, the  
13 board of directors of the school district shall include  
14 in its general fund budget document information about  
15 the amount of the cash reserve used to replace state  
16 school foundation aid not paid.

17 2. If a school district uses funds from its cash  
18 reserve to fund a budget adjustment authorized under  
19 section 257.14A, the board of directors of the school  
20 district shall include in its general fund budget  
21 document information about the amount of the cash  
22 reserve used for such purpose.

23 Sec. \_\_\_\_\_. Section 298.10, subsection 3, Code 2015,  
24 is amended to read as follows:

25 3. a. ~~For~~ Except as provided in paragraph "b", for  
26 fiscal years beginning on or after July 1, 2012, the  
27 cash reserve levy for a budget year shall not exceed  
28 twenty percent of the general fund expenditures for the  
29 year previous to the base year minus the unexpended  
30 fund balance, as defined in section 257.2, for the year  
31 previous to the base year.

32 b. For the fiscal year beginning July 1, 2015, the  
33 cash reserve levy for a school district that received  
34 a budget adjustment under section 257.14A shall not  
35 exceed the lesser of the amount determined under  
36 paragraph "a" and an amount equal to the amount levied  
37 under this section for the year previous to the base  
38 year, excluding any amount levied to fund a modified  
39 supplemental amount established under section 257.31,  
40 minus the amount of cash reserve moneys used to fund a  
41 budget adjustment under section 257.14A.

42 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
43 of this Act, being deemed of immediate importance,  
44 takes effect upon enactment.>

45 2. By renumbering as necessary.

**By** PAUSTIAN of Scott

SENATE FILE 510

H-1369

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 6, before line 8 by inserting:

5 <DIVISION \_\_\_\_\_  
6 SCHOOL DISTRICT BUDGET ADJUSTMENT

7 Sec. \_\_\_\_\_. Section 257.2, subsection 2, Code 2015,  
8 is amended by striking the subsection.

9 Sec. \_\_\_\_\_. NEW SECTION. 257.14A District cost per  
10 pupil equity ---- budget adjustment.

11 1. The board of directors of a school district  
12 with a regular program district cost per pupil that is  
13 less than the highest regular program district cost  
14 per pupil among all school districts in the state for  
15 the same budget year that wishes to receive the budget  
16 adjustment under this section may adopt a resolution  
17 by May 15 preceding the budget year and shall notify  
18 the department of management of the adoption of the  
19 resolution and the amount of the budget adjustment to  
20 be received.

21 2. a. For budget years beginning on or after July  
22 1, 2015, but before July 1, 2018, each school district  
23 that satisfies the requirements of subsection 1 shall  
24 be eligible for a budget adjustment for that budget  
25 year in an amount not to exceed the difference between  
26 the school district's regular program district cost  
27 per pupil and the highest regular program district  
28 cost per pupil among all school districts in the state  
29 multiplied by the district's budget enrollment. The  
30 resolution adopted under subsection 1 may specify a  
31 budget adjustment amount that is less than the maximum  
32 amount authorized under this paragraph "a".

33 b. The school district shall fund the budget  
34 adjustment increase either by using moneys from its  
35 unexpended fund balance or by using cash reserve  
36 moneys.

37 3. A budget adjustment received under this section  
38 shall not affect the eligibility for or amount of any  
39 other budget adjustment authorized by law for the same  
40 budget year. In addition, a budget adjustment under  
41 this section shall be limited to the budget year for  
42 which the adjustment was authorized and shall not be  
43 included in any computation of a school district's cost  
44 for any future budget year.

45 Sec. \_\_\_\_\_. Section 257.34, Code 2015, is amended to  
46 read as follows:

47 257.34 Cash reserve information.

48 1. If a school district receives less state school  
49 foundation aid under section 257.1 than is due under  
50 that section for a base year and the school district

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1 uses funds from its cash reserve during the base year  
2 to make up for the amount of state aid not paid, the  
3 board of directors of the school district shall include  
4 in its general fund budget document information about  
5 the amount of the cash reserve used to replace state  
6 school foundation aid not paid.

7 2. If a school district uses funds from its  
8 cash reserve during the base year to fund a budget  
9 adjustment under section 257.14A, the board of  
10 directors of the school district shall include in its  
11 general fund budget document information about the  
12 amount of the cash reserve used for such purpose.

13 Sec. \_\_\_\_\_. IMPLEMENTATION. Notwithstanding the  
14 deadline for adopting a resolution to approve the  
15 budget adjustment in section 257.14A, subsection 1,  
16 for the school budget year beginning July 1, 2015,  
17 the resolution of the board of directors of a school  
18 district shall be approved not later than September 1,  
19 2015.

20 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
21 of this Act, being deemed of immediate importance,  
22 takes effect upon enactment.>

23 2. By renumbering as necessary.

<b>By</b> WINCKLER of Scott	KELLEY of Jasper
ABDUL-SAMAD of Polk	KRESSIG of Black Hawk
ANDERSON of Polk	LENSING of Johnson
BERRY of Black Hawk	LYKAM of Scott
COHOON of Des Moines	MASCHER of Johnson
DUNKEL of Dubuque	H. MILLER of Webster
FINKENAUER of Dubuque	OLDSON of Polk
GASKILL of Wapello	RUNNING-MARQUARDT of Linn
HANSON of Jefferson	STAED of Linn
HEDDENS of Story	STUTSMAN of Johnson
HUNTER of Polk	THEDE of Scott
JACOBY of Johnson	WESSEL-KROESCHELL of Story
KEARNS of Lee	

SENATE FILE 510

H-1370

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, line 13, after <dues.> by inserting  
5 <This subsection shall not apply to institutions of  
6 higher learning under the control of the state board of  
7 regents or to the state board of regents.>

8 2. Page 4, after line 26 by inserting:

9 <Sec. \_\_\_\_\_. Section 8.55, subsection 2, paragraph a,  
10 Code 2015, is amended to read as follows:

11 a. The first ~~sixty~~ ninety million dollars of the  
12 difference between the actual net revenue for the  
13 general fund of the state for the fiscal year and the  
14 adjusted revenue estimate for the fiscal year shall be  
15 transferred to the taxpayers trust fund.

16 Sec. \_\_\_\_\_. Section 8A.311, Code 2015, is amended by  
17 adding the following new subsection:

18 NEW SUBSECTION. 23. Notwithstanding sections  
19 904.807 and 904.808, the director of the department of  
20 administrative services shall furnish state parks with  
21 equipment deemed necessary by the department of natural  
22 resources and the director of the department of natural  
23 resources under a competitive bid process as described  
24 in this chapter.>

25 3. Page 5, after line 30 by inserting:

26 <Sec. \_\_\_\_\_. Section 256.7, subsection 32, paragraph  
27 c, Code 2015, is amended to read as follows:

28 c. Adopt rules that limit the statewide enrollment  
29 of pupils in educational instruction and course content  
30 that are delivered primarily over the internet to  
31 not more than eighteen one-hundredths of one percent  
32 of the statewide enrollment of all pupils, and that  
33 limit the number of pupils participating in open  
34 enrollment for purposes of receiving educational  
35 instruction and course content that are delivered  
36 primarily over the internet to no more than one percent  
37 of a sending district's enrollment. ~~Until June 30,~~  
38 ~~2015, students~~ Such limitations shall not apply if  
39 the limitations would prevent siblings from enrolling  
40 in the same school district or if a sending district  
41 determines that the educational needs of a physically  
42 or emotionally fragile student would be best served  
43 by educational instruction and course content that  
44 are delivered primarily over the internet. Students  
45 who meet the requirements of section 282.18 may  
46 participate in open enrollment under this paragraph "c"  
47 for purposes of enrolling only in the CAM community  
48 school district or the Clayton Ridge community school  
49 district.

50 (01) The department, in collaboration with the

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1 international association for K-12 online learning,  
2 shall annually collect data on student performance in  
3 educational instruction and course content that are  
4 delivered primarily over the internet pursuant to this  
5 paragraph "c". The department shall include such data  
6 in its annual report to the general assembly pursuant  
7 to subparagraph (3) and shall post the data on the  
8 department's internet site.

9 (1) School districts providing educational  
10 instruction and course content that are delivered  
11 primarily over the internet pursuant to this paragraph  
12 "c" shall annually submit to the department, in the  
13 manner prescribed by the department, data that includes  
14 but is not limited to ~~student~~ the following:

15 (a) Student achievement and demographic  
16 characteristics, ~~retention.~~

17 (b) Retention rates, ~~and the.~~

18 (c) The percentage of enrolled students' active  
19 participation in extracurricular activities.

20 (d) Academic proficiency levels, consistent with  
21 requirements applicable to all school districts and  
22 accredited nonpublic schools in this state.

23 (e) Academic growth measures, which shall include  
24 either of the following:

25 (i) Entry and exit assessments in, at a minimum,  
26 math and English for elementary and middle school  
27 students, and additional subjects, including science,  
28 for high school students.

29 (ii) State-required assessments that track  
30 year-over-year improvements in academic proficiency.

31 (f) Academic mobility. To facilitate the tracking  
32 of academic mobility, school districts shall request  
33 the following information from the parent or guardian  
34 of a student enrolled in educational instruction and  
35 course content that are delivered primarily over the  
36 internet pursuant to this paragraph "c":

37 (i) For a student newly enrolling, the reasons for  
38 choosing such enrollment.

39 (ii) For a student terminating enrollment, the  
40 reasons for terminating such enrollment.

41 (g) Student progress toward graduation.  
42 Measurement of such progress shall account for specific  
43 characteristics of each enrolled student, including  
44 but not limited to age and course credit accrued prior  
45 to enrollment in educational instruction and course  
46 content that are delivered primarily over the internet  
47 pursuant to this paragraph "c", and shall be consistent  
48 with evidence-based best practices.

49 (2) The department shall conduct annually a survey  
50 of not less than ten percent of the total number of

1 students enrolled as authorized under this paragraph  
2 "c" and section 282.18, ~~and not less than one hundred~~  
3 ~~percent of the students in those districts who are~~  
4 ~~enrolled as authorized under this paragraph "c" and~~  
5 ~~section 282.18 and who are eligible for free or reduced~~  
6 ~~price meals under the federal National School Lunch~~  
7 ~~Act and the federal Child Nutrition Act of 1966, 42~~  
8 ~~U.S.C. §§ 1751-1785,~~ to determine whether students are  
9 enrolled under this paragraph "c" and section 282.18  
10 to receive educational instruction and course content  
11 primarily over the internet or are students who are  
12 receiving competent private instruction from a licensed  
13 practitioner provided through a school district  
14 pursuant to chapter 299A.

15 (3) The department shall compile and review the  
16 data collected pursuant to this paragraph "c" and  
17 shall submit its findings and recommendations for the  
18 continued delivery of instruction and course content by  
19 school districts pursuant to this paragraph "c", in a  
20 report to the general assembly by January 15 annually.

21 (4) ~~This paragraph "c" is repealed July 1, 2015.~~  
22 School districts providing educational instruction  
23 and course content that are delivered primarily over  
24 the internet pursuant to this paragraph "c" shall  
25 comply with the following requirements relating to such  
26 instruction and content:

27 (a) Monitoring and verifying full-time student  
28 enrollment, timely completion of graduation  
29 requirements, course credit accrual, and course  
30 completion.

31 (b) Monitoring and verifying student progress and  
32 performance in each course through a school-based  
33 assessment plan that includes submission of coursework  
34 and security and validity of testing.

35 (c) Conducting parent-teacher conferences.

36 (d) Administering assessments required by the state  
37 to all students in a proctored setting and pursuant to  
38 state law.

39 Sec. \_\_\_\_\_. NEW SECTION. 274.3 Exercise of powers  
40 ---- construction.

41 1. The board of directors of a school district  
42 shall operate, control, and supervise all public  
43 schools located within its district boundaries and may  
44 exercise any broad and implied power, not inconsistent  
45 with the laws of the general assembly, related to the  
46 operation, control, and supervision of those public  
47 schools.

48 2. Notwithstanding subsection 1, the board of  
49 directors of a school district shall not have power to  
50 levy any tax unless expressly authorized by the general

1 assembly.

2 3. This chapter, chapter 257 and chapters 275  
3 through 301, and other statutes relating to the  
4 boards of directors of school districts and to school  
5 districts shall be liberally construed to effectuate  
6 the purposes of subsection 1.

7 Sec. \_\_\_\_\_. Section 279.50, subsections 3 and 5, Code  
8 2015, are amended to read as follows:

9 3. Each school board shall annually provide to  
10 a parent or guardian of any pupil enrolled in the  
11 school district, information about the human growth and  
12 development curriculum used in the pupil's grade level,  
13 as well as information on human growth and development  
14 that is provided to the pupil at any educational  
15 conference or seminar for which the school district  
16 facilitates pupil participation, and the procedure for  
17 inspecting the instructional materials prior to their  
18 use in the classroom or at the educational conference  
19 or seminar.

20 5. A Except with the written consent of a pupil's  
21 parent or guardian, which shall be filed with the  
22 appropriate school principal, a pupil shall not neither  
23 be required to take enrolled in a course of instruction  
24 in human growth and development if the pupil's parent  
25 or guardian files with the appropriate principal a  
26 written request that the pupil be excused from the  
27 instruction nor attend an educational conference or  
28 seminar for which the school district facilitates pupil  
29 participation if the educational conference or seminar  
30 includes information on human growth and development.  
31 Notification that the written request may be made  
32 consent is required prior to a pupil's enrollment or  
33 attendance as provided in this subsection shall be  
34 included in the information provided by the school  
35 district under subsection 3.

36 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
37 e, subparagraph (2), subparagraph division (a), Code  
38 2015, is amended to read as follows:

39 (a) For the initial school year for which a  
40 school district receives department approval for  
41 and implements a framework or comparable system in  
42 accordance with section 284.15, teacher leadership  
43 supplement foundation aid payable to that school  
44 district shall be paid from the allocation made in  
45 subparagraph (1) for that school year. For that school  
46 year beginning July 1, 2014, the teacher leadership  
47 supplement foundation aid payable to the school  
48 district is the product of the teacher leadership  
49 district cost per pupil for the school year multiplied  
50 by the school district's budget enrollment. For that

1 school year beginning July 1, 2015, or beginning July  
2 1, 2016, the teacher leadership supplement foundation  
3 aid payable to the school district is the product  
4 of three hundred eight dollars and eighty-two cents  
5 multiplied by the school district's budget enrollment.

6 The board of directors of the district of residence  
7 shall pay to the receiving district any moneys received  
8 for a pupil under subparagraph (1) if the pupil is  
9 participating in open enrollment under section 282.18  
10 and both the district of residence and the receiving  
11 district are receiving an allocation under subparagraph  
12 (1).

13 Sec. \_\_\_\_\_. Section 730.5, subsection 9, paragraph e,  
14 Code 2015, is amended to read as follows:

15 e. If the written policy provides for alcohol  
16 testing, the employer shall establish in the written  
17 policy a standard for alcohol concentration which shall  
18 be deemed to violate the policy. The standard for  
19 alcohol concentration shall not be less than ~~.04~~ .02,  
20 expressed in terms of grams of alcohol per two hundred  
21 ten liters of breath, or its equivalent.>

22 4. Page 12, by striking lines 11 through 34.

23 5. Page 28, after line 22 by inserting:

24 <Sec. \_\_\_\_\_. Section 459A.206, subsection 1, Code  
25 2015, as amended by 2015 Iowa Acts, [House File 583](#),  
26 section 25, is amended to read as follows:

27 1. A settled open feedlot effluent basin or an  
28 unformed animal truck wash effluent structure required  
29 to be constructed pursuant to a construction permit  
30 issued pursuant to section 459A.205 shall meet design  
31 standards as required by a soils and hydrogeologic  
32 report.

33 Sec. \_\_\_\_\_. Section 459A.206, subsection 2, paragraph  
34 c, Code 2015, is amended to read as follows:

35 c. The results of at least three soil corings  
36 reflecting the continuous soil profile taken for  
37 each settled open feed lot effluent basin or unformed  
38 animal truck wash effluent structure. The soil corings  
39 shall be taken and used in determining subsurface soil  
40 characteristics and groundwater elevation and direction  
41 of flow of the proposed site for construction. The  
42 soil corings shall be taken as follows:

43 (1) By a qualified person ordinarily engaged in the  
44 practice of taking soil cores and in performing soil  
45 testing.

46 (2) At locations that reflect the continuous  
47 soil profile conditions existing within the area of  
48 the proposed basin or unformed structure, including  
49 conditions found near the corners and the deepest point  
50 of the proposed basin. The soil corings shall be

1 taken to a minimum depth of ten feet below the bottom  
2 elevation of the basin.

3 (3) By a method such as hollow stem auger or other  
4 method that identifies the continuous soil profile and  
5 does not result in the mixing of soil layers.

6 Sec. \_\_\_\_\_. Section 459A.207, subsection 1, paragraph  
7 a, Code 2015, is amended to read as follows:

8 a. The basin or structure was constructed in  
9 accordance with the design plans submitted to the  
10 department as part of an application for a construction  
11 permit pursuant to section 459A.205. If the actual  
12 construction deviates from the approved design plans,  
13 the construction certification shall identify all  
14 changes and certify that the changes were consistent  
15 with all applicable standards of this section.

16 Sec. \_\_\_\_\_. Section 459A.302, unnumbered paragraph  
17 1, Code 2015, as amended by 2015 Iowa Acts, House File  
18 583, section 32, is amended to read as follows:

19 A settled open feedlot effluent basin or an unformed  
20 animal truck wash effluent structure required to be  
21 constructed pursuant to a construction permit issued  
22 pursuant to section 459A.205 shall meet all of the  
23 following requirements:

24 Sec. \_\_\_\_\_. Section 459A.302, subsection 1, paragraph  
25 a, unnumbered paragraph 1, Code 2015, as amended by  
26 2015 Iowa Acts, [House File 583](#), section 33, is amended  
27 to read as follows:

28 Prior to constructing a settled open feedlot  
29 effluent basin or an unformed animal truck wash  
30 effluent structure, the site for the basin shall be  
31 investigated for a drainage tile line by the owner  
32 of the open feedlot operation or animal truck wash  
33 facility. The investigation shall be made by digging  
34 a core trench to a depth of at least six feet deep from  
35 ground level at the projected center of the berm of the  
36 basin or unformed structure. If a drainage tile line  
37 is discovered, one of the following solutions shall be  
38 implemented:

39 Sec. \_\_\_\_\_. Section 459A.302, subsection 1, paragraph  
40 a, subparagraphs (1) and (2), Code 2015, are amended  
41 to read as follows:

42 (1) The drainage tile line shall be rerouted  
43 around the perimeter of the basin or unformed animal  
44 truck wash effluent structure at a distance of at  
45 least twenty-five feet horizontally separated from  
46 the outside edge of the berm of the basin or unformed  
47 structure. For an area of the basin or unformed  
48 structure where there is not a berm, the drainage tile  
49 line shall be rerouted at least fifty feet horizontally  
50 separated from the edge of the basin or unformed

1 structure.

2 (2) The drainage tile line shall be replaced with a  
3 nonperforated tile line under the ~~basin~~ floor of the  
4 basin or unformed animal truck wash effluent structure.

5 The nonperforated tile line shall be continuous and  
6 without connecting joints. There must be a minimum of  
7 three feet between the nonperforated tile line and the  
8 ~~basin~~ floor of the basin or unformed structure.

9 Sec. \_\_\_\_\_. Section 459A.302, subsections 2, 3, 4,  
10 and 5 Code 2015, as amended by 2015 Iowa Acts, House  
11 File 583, section 34, is amended to read as follows:

12 2. a. The settled open feedlot effluent basin or  
13 an unformed animal truck wash effluent structure shall  
14 be constructed with a minimum separation of two feet  
15 between the top of the liner of the basin or unformed  
16 structure and the seasonal high-water table.

17 b. If a drainage tile line around the perimeter of  
18 the settled open feedlot effluent basin or unformed  
19 animal truck wash effluent structure is installed  
20 a minimum of two feet below the top of the basin's  
21 or unformed structure's liner to artificially lower  
22 the seasonal high-water table, the top of the liner  
23 may be a maximum of four feet below the seasonal  
24 high-water table. The seasonal high-water table may  
25 be artificially lowered by gravity flow tile lines or  
26 other similar system. However, the following shall  
27 apply:

28 (1) Except as provided in subparagraph (2), an  
29 open feedlot operation or animal truck wash facility  
30 shall not use a nongravity mechanical system that uses  
31 pumping equipment.

32 (2) If the open feedlot operation was constructed  
33 before July 1, 2005, the operation may continue to use  
34 its existing nongravity mechanical system that uses  
35 pumping equipment or it may construct a new nongravity  
36 mechanical system that uses pumping equipment.  
37 However, an open feedlot operation that expands the  
38 area of its open feedlot on or after April 1, 2011,  
39 shall not use a nongravity mechanical system that uses  
40 pumping equipment.

41 3. Drainage tile lines may be installed to  
42 artificially lower the seasonal high-water table at  
43 a settled open feedlot effluent basin or an unformed  
44 animal truck wash effluent structure, if all of the  
45 following conditions are satisfied:

46 a. A device to allow monitoring of the water in the  
47 drainage tile lines and a device to allow shutoff of  
48 the flow in the drainage tile lines are installed, if  
49 the drainage tile lines do not have a surface outlet  
50 accessible on the property where the basin or unformed

1 structure is located.

2 b. Drainage tile lines are installed horizontally  
3 at least twenty-five feet away from the basin or  
4 unformed structure. Drainage tile lines shall be  
5 placed in a vertical trench and encased in granular  
6 material which extends upward to the level of the  
7 seasonal high-water table.

8 4. A settled open feedlot effluent basin or an  
9 unformed animal truck wash effluent structure shall  
10 be constructed with at least four feet between the  
11 bottom of the basin or unformed structure and a bedrock  
12 formation.

13 5. A settled open feedlot effluent basin or  
14 an unformed animal truck wash effluent structure  
15 constructed on a floodplain or within a floodway of a  
16 river or stream shall comply with rules adopted by the  
17 commission.

18 Sec. \_\_\_\_\_. Section 459A.302, subsection 6,  
19 unnumbered paragraph 1, Code 2015, as amended by 2015  
20 Iowa Acts, [House File 583](#), section 35, is amended to  
21 read as follows:

22 The liner of a settled open feedlot effluent basin  
23 or unformed animal truck wash effluent structure shall  
24 comply with all of the following:

25 Sec. \_\_\_\_\_. Section 459A.302, subsection 7, Code  
26 2015, as amended by 2015 Iowa Acts, [House File 583](#),  
27 section 36, is amended to read as follows:

28 7. The owner of an open feedlot operation using  
29 a settled open feedlot effluent basin or animal truck  
30 wash facility using an unformed animal truck wash  
31 effluent structure shall inspect the berms of the  
32 basin or unformed structure at least semiannually for  
33 evidence of erosion. If the inspection reveals erosion  
34 which may impact the basin's or unformed structure's  
35 structural stability or the integrity of the basin's  
36 or unformed structure's liner, the owner shall repair  
37 the berms.>

38 6. Page 29, by striking line 18 and inserting:

39 1. SECRETARY OF STATE>

40 7. Page 30, by striking lines 34 and 35 and  
41 inserting:

42 <For the provision of the purchase of compatible  
43 radio>

44 8. Page 30, by striking lines 38 and 39 and  
45 inserting <narrowband mandate deadline:>

46 9. Page 31, by striking lines 17 and 18 and  
47 inserting <\$626,000 for the provision of the purchase  
48 of compatible radio>

49 10. Page 31, by striking lines 21 and 22 and  
50 inserting <narrowband mandate deadline.>



1 11. Page 31, after line 31 by inserting:

2 <DIVISION \_\_\_\_\_

3 FIREARMS \_\_\_\_\_

4 Sec. \_\_\_\_\_. Section 724.1, subsection 1, paragraph h,  
5 Code 2015, is amended by striking the paragraph.

6 Sec. \_\_\_\_\_. NEW SECTION. 724.1A Firearm suppressors  
7 ---- certification.

8 1. As used in this section, unless the context  
9 otherwise requires:

10 a. "Certification" means the participation and  
11 assent of the chief law enforcement officer of the  
12 jurisdiction where the applicant resides or maintains  
13 an address of record, that is necessary under federal  
14 law for the approval of an application to make or  
15 transfer a firearm suppressor.

16 b. "Chief law enforcement officer" means the county  
17 sheriff, chief of police, or the designee of such  
18 official, that the federal bureau of alcohol, tobacco,  
19 firearms and explosives, or any successor agency, has  
20 identified by regulation or has determined is otherwise  
21 eligible to provide any required certification for  
22 making or transferring a firearm suppressor.

23 c. "Firearm suppressor" means a mechanical device  
24 specifically constructed and designed so that when  
25 attached to a firearm silences, muffles, or suppresses  
26 the sound when fired that is considered a "firearm  
27 silencer" or "firearm muffler" as defined in 18 U.S.C.  
28 {921.

29 2. a. A chief law enforcement officer is not  
30 required to make any certification under this section  
31 the chief law enforcement officer knows to be false,  
32 but the chief law enforcement officer shall not  
33 refuse, based on a generalized objection, to issue a  
34 certification to make or transfer a firearm suppressor.

35 b. When the certification of the chief law  
36 enforcement officer is required by federal law or  
37 regulation for making or transferring a firearm  
38 suppressor, the chief law enforcement officer  
39 shall, within thirty days of receipt of a request  
40 for certification, issue such certification if the  
41 applicant is not prohibited by law from making or  
42 transferring a firearm suppressor or is not the subject  
43 of a proceeding that could result in the applicant  
44 being prohibited by law from making or transferring  
45 the firearm suppressor. If the chief law enforcement  
46 officer does not issue a certification as required by  
47 this section, the chief law enforcement officer shall  
48 provide the applicant with a written notification of  
49 the denial and the reason for the denial.

50 c. A certification that has been approved under



1 this section grants the person the authority to make  
2 or transfer a firearm suppressor as provided by state  
3 and federal law.

4 3. An applicant whose request for certification  
5 is denied may appeal the decision of the chief law  
6 enforcement officer to the district court for the  
7 county in which the applicant resides or maintains  
8 an address of record. The court shall review the  
9 decision of the chief law enforcement officer to deny  
10 the certification de novo. If the court finds that  
11 the applicant is not prohibited by law from making  
12 or transferring the firearm suppressor, or is not the  
13 subject of a proceeding that could result in such  
14 prohibition, or that no substantial evidence supports  
15 the decision of the chief law enforcement officer, the  
16 court shall order the chief law enforcement officer  
17 to issue the certification and award court costs and  
18 reasonable attorney fees to the applicant. If the  
19 court determines the applicant is not eligible to be  
20 issued a certification, the court shall award court  
21 costs and reasonable attorney fees to the political  
22 subdivision of the state representing the chief law  
23 enforcement officer.

24 4. In making a determination about whether to  
25 issue a certification under subsection 2, a chief law  
26 enforcement officer may conduct a criminal background  
27 check, including an inquiry of the national instant  
28 criminal background check system maintained by the  
29 federal bureau of investigation or any successor  
30 agency, but shall only require the applicant provide  
31 as much information as is necessary to identify  
32 the applicant for this purpose or to determine the  
33 disposition of an arrest or proceeding relevant to the  
34 eligibility of the applicant to lawfully possess or  
35 receive a firearm suppressor. A chief law enforcement  
36 officer shall not require access to or consent  
37 to inspect any private premises as a condition of  
38 providing a certification under this section.

39 5. A chief law enforcement officer and employees  
40 of the chief law enforcement officer who act in good  
41 faith are immune from liability arising from any act or  
42 omission in making a certification as required by this  
43 section.

44 Sec. \_\_\_\_\_. NEW SECTION. 724.1B Firearm suppressors  
45 ---- penalty.

46 1. A person shall not possess a firearm suppressor  
47 in this state if such possession is knowingly in  
48 violation of federal law.

49 2. A person who possesses a firearm suppressor in  
50 violation of subsection 1 commits a class "D" felony.

1 Sec. \_\_\_\_\_. Section 724.4, subsection 4, paragraph i,  
2 Code 2015, is amended to read as follows:

3 i. (1) A person who has in the person's immediate  
4 possession and who displays to a peace officer on  
5 demand a valid permit to carry weapons which has been  
6 issued to the person, and whose conduct is within the  
7 limits of that permit. A peace officer shall verify  
8 through electronic means, if possible, the validity of  
9 the person's permit to carry weapons.

10 (2) A person commits a simple misdemeanor  
11 punishable as a scheduled violation pursuant to section  
12 805.8C, subsection 11, if the person does not have in  
13 the person's immediate possession a valid permit to  
14 carry weapons which has been issued to the person.

15 (3) A Except as provided subparagraph (2), a  
16 person shall not be convicted of a violation of this  
17 section if the person produces at the person's trial a  
18 permit to carry weapons which was valid at the time of  
19 the alleged offense and which would have brought the  
20 person's conduct within this exception if the permit  
21 had been produced at the time of the alleged offense.

22 Sec. \_\_\_\_\_. Section 724.4B, subsection 2, paragraph  
23 a, Code 2015, is amended to read as follows:

24 a. A person listed under section 724.4, subsection  
25 4, paragraphs "b" through "f" or "j", or a certified  
26 peace officer as specified in section 724.6, subsection  
27 1.

28 Sec. \_\_\_\_\_. Section 724.5, Code 2015, is amended to  
29 read as follows:

30 724.5 Duty to carry or verify permit to carry  
31 weapons.

32 1. A person armed with a revolver, pistol, or  
33 pocket billy concealed upon the person shall have in  
34 the person's immediate possession the permit provided  
35 for in section 724.4, subsection 4, paragraph "i", and  
36 shall produce the permit for inspection at the request  
37 of a peace officer.

38 2. A peace officer shall verify through electronic  
39 means, if possible, the validity of the person's permit  
40 to carry weapons.

41 3. Failure to so produce a permit is a simple  
42 misdemeanor, punishable as a scheduled violation  
43 pursuant to section 805.8C, subsection 12.

44 Sec. \_\_\_\_\_. Section 724.6, subsection 1, Code 2015,  
45 is amended to read as follows:

46 1. A person may be issued a permit to carry weapons  
47 when the person's employment in a private investigation  
48 business or private security business licensed under  
49 chapter 80A, or a person's employment as a peace  
50 officer, correctional officer, security guard, bank

1 messenger or other person transporting property of a  
2 value requiring security, or in police work, reasonably  
3 justifies that person going armed. The permit shall be  
4 on a form prescribed and published by the commissioner  
5 of public safety, shall identify the holder, and  
6 shall state the nature of the employment requiring the  
7 holder to go armed. A permit so issued, other than to  
8 a peace officer, shall authorize the person to whom  
9 it is issued to go armed anywhere in the state, only  
10 while engaged in the employment, and while going to and  
11 from the place of the employment. A permit issued to  
12 a certified peace officer shall authorize that peace  
13 officer to go armed anywhere in the state, including  
14 a school as provided in section 724.4B, at all times.  
15 Permits shall expire twelve months after the date when  
16 issued except that permits issued to peace officers and  
17 correctional officers are valid through the officer's  
18 period of employment unless otherwise canceled. When  
19 the employment is terminated, the holder of the  
20 permit shall surrender it to the issuing officer for  
21 cancellation.

22 Sec. \_\_\_\_\_. Section 724.7, subsection 1, Code 2015,  
23 is amended to read as follows:

24 1. Any person who is not disqualified under  
25 section 724.8, who satisfies the training requirements  
26 of section 724.9, if applicable, and who files an  
27 application in accordance with section 724.10 shall be  
28 issued a nonprofessional permit to carry weapons. Such  
29 permits shall be on a form prescribed and published  
30 by the commissioner of public safety, which shall be  
31 readily distinguishable from the professional permit,  
32 and shall identify the holder of the permit. Such  
33 permits shall not be issued for a particular weapon  
34 and shall not contain information about a particular  
35 weapon including the make, model, or serial number of  
36 the weapon or any ammunition used in that weapon. All  
37 permits so issued shall be for a period of five years  
38 and shall be valid throughout the state except where  
39 the possession or carrying of a firearm is prohibited  
40 by state or federal law.

41 Sec. \_\_\_\_\_. Section 724.9, Code 2015, is amended by  
42 adding the following new subsection:

43 NEW SUBSECTION. 1A. The handgun safety training  
44 course required in subsection 1 may be conducted  
45 over the internet in a live or web-based format, if  
46 completion of the course is verified by the instructor  
47 or provider of the course.

48 Sec. \_\_\_\_\_. Section 724.11, subsections 1 and 3, Code  
49 2015, are amended to read as follows:

50 1. a. Applications for permits to carry weapons

1 shall be made to the sheriff of the county in which  
2 the applicant resides. Applications for professional  
3 permits to carry weapons for persons who are  
4 nonresidents of the state, or whose need to go armed  
5 arises out of employment by the state, shall be made  
6 to the commissioner of public safety. In either case,  
7 the sheriff or commissioner, before issuing the permit,  
8 shall determine that the requirements of sections 724.6  
9 to 724.10 have been satisfied. However, ~~for renewal of~~  
10 ~~a permit~~ the training program requirements in section  
11 724.9, subsection 1, do not apply to an applicant  
12 who is able to demonstrate completion of small arms  
13 training as specified in section 724.9, subsection 1,  
14 paragraph "d". For all other applicants the training  
15 program requirements of section 724.9, subsection 1,  
16 must be satisfied within the twenty-four-month period  
17 prior to the date of the application for the issuance  
18 of a permit.

19 b. (1) Prior to issuing a renewal, the sheriff  
20 or commissioner shall determine the requirements of  
21 sections 724.6, 724.7, 724.8, and 724.10 and either of  
22 the following, as applicable, have been satisfied:

23 (a) Beginning with the first renewal of a permit  
24 issued after the calendar year 2010, and alternating  
25 renewals thereafter, if a renewal applicant applies  
26 within thirty days prior to the expiration of the  
27 permit or within thirty days after expiration of the  
28 permit, the training program requirements of section  
29 724.9, subsection 1, do not apply.

30 (b) Beginning with the second renewal of a permit  
31 issued after the calendar year 2010, and alternating  
32 renewals thereafter, if a renewal applicant applies  
33 within thirty days prior to the expiration of the  
34 permit or within thirty days after expiration of the  
35 permit, a renewal applicant shall qualify for renewal  
36 by taking an online training course certified by the  
37 national rifle association or the Iowa law enforcement  
38 academy, and the training program requirements of  
39 section 724.9, subsection 1, do not apply.

40 (2) If any renewal applicant applies more than  
41 thirty days after the expiration of the permit, the  
42 permit requirements of paragraph "a" apply to the  
43 applicant, and any subsequent renewal of this permit  
44 shall be considered a first renewal for purposes  
45 of subparagraph (1). However, the training program  
46 requirements of section 724.9, subsection 1, do not  
47 apply to an applicant who is able to demonstrate  
48 completion of small arms training as specified in  
49 section 724.9, subsection 1, paragraph "d". For all  
50 other applicants, in lieu of the training program

1 requirements of section 724.9, subsection 1, the  
2 renewal applicant may choose to qualify on a firing  
3 range under the supervision of an instructor certified  
4 by the national rifle association or the department of  
5 public safety or another state's department of public  
6 safety, state police department, or similar certifying  
7 body.

8 (3) As an alternative to subparagraph (1), and if  
9 the requirements of sections 724.6, 724.7, 724.8, and  
10 724.10 have been satisfied, a renewal applicant may  
11 choose to qualify, at any renewal, under the training  
12 program requirements in section 724.9, subsection 1,  
13 ~~shall apply~~ or the renewal applicant may choose to  
14 qualify on a firing range under the supervision of an  
15 instructor certified by the national rifle association  
16 or the department of public safety or another  
17 state's department of public safety, state police  
18 department, or similar certifying body. Such training  
19 or qualification must occur within the ~~twelve-month~~  
20 twenty-four-month period prior to the expiration  
21 of the applicant's current permit, except that the  
22 twenty-four-month time period limitation for training  
23 or qualification does not apply to an applicant who is  
24 able to demonstrate completion of small arms training  
25 as specified in section 724.9, subsection 1, paragraph  
26 "d".

27 3. The issuing officer shall collect a fee of fifty  
28 dollars, except from a duly appointed peace officer or  
29 correctional officer, for each permit issued. Renewal  
30 permits or duplicate permits shall be issued for a fee  
31 of twenty-five dollars, provided the application for  
32 such renewal permit is received by the issuing officer  
33 at least within thirty days prior to the expiration  
34 of the applicant's current permit or within thirty  
35 days after such expiration. The issuing officer  
36 shall notify the commissioner of public safety of the  
37 issuance of any permit at least monthly and forward to  
38 the commissioner an amount equal to ten dollars for  
39 each permit issued and five dollars for each renewal  
40 or duplicate permit issued. All such fees received  
41 by the commissioner shall be paid to the treasurer  
42 of state and deposited in the operating account of  
43 the department of public safety to offset the cost of  
44 administering this chapter. Notwithstanding section  
45 8.33, any unspent balance as of June 30 of each year  
46 shall not revert to the general fund of the state.

47 Sec. \_\_\_\_\_. Section 724.11, Code 2015, is amended by  
48 adding the following new subsection:

49 NEW SUBSECTION. 5. The initial or renewal permit  
50 shall have a uniform appearance, size, and content

1 prescribed and published by the commissioner of public  
2 safety. The permit shall contain the name of the  
3 permittee and the effective date of the permit, but  
4 shall not contain the permittee's social security  
5 number. Such a permit shall not be issued for a  
6 particular weapon and shall not contain information  
7 about a particular weapon including the make, model,  
8 or serial number of the weapon, or any ammunition used  
9 in that weapon.

10 Sec. \_\_\_\_\_. Section 724.11A, Code 2015, is amended to  
11 read as follows:

12 724.11A Recognition.

13 A valid permit or license issued by another state to  
14 any nonresident of this state shall be considered to  
15 be a valid permit or license to carry weapons issued  
16 pursuant to this chapter, except that such permit or  
17 license shall not be considered to be a substitute for  
18 ~~an annual a permit to acquire pistols or revolvers~~  
19 issued pursuant to ~~section 724.15~~ this chapter.

20 Sec. \_\_\_\_\_. Section 724.15, subsections 1, 2, and 3,  
21 Code 2015, are amended to read as follows:

22 1. Any person who desires to acquire ownership of  
23 any pistol or revolver shall first obtain ~~an annual~~  
24 a permit. ~~An annual~~ A permit shall be issued upon  
25 request to any resident of this state unless the person  
26 is subject to any of the following:

- 27 a. Is less than twenty-one years of age.
- 28 b. Is subject to the provisions of section 724.26.
- 29 c. Is prohibited by federal law from shipping,  
30 transporting, possessing, or receiving a firearm.

31 2. Any person who acquires ownership of a pistol or  
32 revolver shall not be required to obtain ~~an annual a~~  
33 permit if any of the following apply:

- 34 a. The person transferring the pistol or revolver  
35 and the person acquiring the pistol or revolver are  
36 licensed firearms dealers under federal law.
- 37 b. The pistol or revolver acquired is an antique  
38 firearm, a collector's item, a device which is not  
39 designed or redesigned for use as a weapon, a device  
40 which is designed solely for use as a signaling,  
41 pyrotechnic, line-throwing, safety, or similar device,  
42 or a firearm which is unserviceable by reason of being  
43 unable to discharge a shot by means of an explosive  
44 and is incapable of being readily restored to a firing  
45 condition.

46 c. The person acquiring the pistol or revolver is  
47 authorized to do so on behalf of a law enforcement  
48 agency.

49 d. The person has obtained a valid permit to carry  
50 weapons, as provided in section 724.11.

1 e. The person transferring the pistol or revolver  
2 and the person acquiring the pistol or revolver  
3 are related to one another within the second degree  
4 of consanguinity or affinity unless the person  
5 transferring the pistol or revolver knows that the  
6 person acquiring the pistol or revolver would be  
7 disqualified from obtaining a permit.

8 3. The ~~annual~~ permit to acquire pistols or  
9 revolvers shall authorize the permit holder to acquire  
10 one or more pistols or revolvers during the period  
11 that the permit remains valid. If the issuing officer  
12 determines that the applicant has become disqualified  
13 under the provisions of subsection 1, the issuing  
14 officer may immediately revoke the permit and shall  
15 provide a written statement of the reasons for  
16 revocation, and the applicant shall have the right to  
17 appeal the revocation as provided in section 724.21A.

18 Sec. \_\_\_\_\_. Section 724.16, Code 2015, is amended to  
19 read as follows:

20 724.16 ~~Annual permit~~ Permit to acquire required ----  
21 transfer prohibited.

22 1. Except as otherwise provided in section 724.15,  
23 subsection 2, a person who acquires ownership of a  
24 pistol or revolver without a valid ~~annual~~ permit to  
25 acquire pistols or revolvers or a person who transfers  
26 ownership of a pistol or revolver to a person who does  
27 not have in the person's possession a valid ~~annual~~  
28 permit to acquire pistols or revolvers is guilty of an  
29 aggravated misdemeanor.

30 2. A person who transfers ownership of a pistol  
31 or revolver to a person that the transferor knows is  
32 prohibited by section 724.15 from acquiring ownership  
33 of a pistol or revolver commits a class "D" felony.

34 Sec. \_\_\_\_\_. Section 724.17, Code 2015, is amended to  
35 read as follows:

36 724.17 Application for ~~annual~~ permit to acquire ----  
37 criminal history check required.

38 1. The application for ~~an annual~~ a permit to  
39 acquire pistols or revolvers may be made to the sheriff  
40 of the county of the applicant's residence and shall be  
41 on a form prescribed and published by the commissioner  
42 of public safety.

43 a. The If an applicant is a United States citizen,  
44 the application shall require only the full name of  
45 the applicant, the driver's license or nonoperator's  
46 identification card number of the applicant, the  
47 residence of the applicant, and the date and place of  
48 birth of the applicant.

49 b. If the applicant is not a United States citizen,  
50 the application shall, in addition to the information



1 specified in paragraph "a", require the applicant's  
2 country of citizenship, any alien or admission  
3 number issued by the United States immigration and  
4 customs enforcement or any successor agency, and,  
5 if applicable, the basis for any exception claimed  
6 pursuant to 18 U.S.C. {922(y)}.

7 c. The applicant shall also display an  
8 identification card that bears a distinguishing number  
9 assigned to the cardholder, the full name, date of  
10 birth, sex, residence address, and brief description  
11 and ~~colored~~ photograph of the cardholder, or other  
12 identification as specified by rule of the department  
13 of public safety.

14 2. The sheriff shall conduct a criminal history  
15 check concerning each applicant by obtaining criminal  
16 history data from the department of public safety  
17 which shall include an inquiry of the national instant  
18 criminal background check system maintained by the  
19 federal bureau of investigation or any successor agency  
20 and an immigration alien query through a database  
21 maintained by the United States immigration and customs  
22 enforcement or any successor agency if the applicant is  
23 not a United States citizen.

24 3. A person who makes what the person knows to be  
25 a false statement of material fact on an application  
26 submitted under this section or who submits what the  
27 person knows to be any materially falsified or forged  
28 documentation in connection with such an application  
29 commits a class "D" felony.

30 Sec. \_\_\_\_\_. Section 724.18, Code 2015, is amended to  
31 read as follows:

32 724.18 Procedure for making application for ~~annual~~  
33 permit to acquire.

34 A person may personally request the sheriff to  
35 mail an application for ~~an annual~~ a permit to acquire  
36 pistols or revolvers, and the sheriff shall immediately  
37 forward to such person an application for ~~an annual~~  
38 a permit to acquire pistols or revolvers. A person  
39 shall upon completion of the application ~~personally~~  
40 ~~deliver file~~ such application ~~to~~ with the sheriff who  
41 shall note the period of validity on the application  
42 and shall immediately issue the ~~annual~~ permit to  
43 acquire pistols or revolvers to the applicant. For the  
44 purposes of this section the date of application shall  
45 be the date on which the sheriff received the completed  
46 application.

47 Sec. \_\_\_\_\_. Section 724.19, Code 2015, is amended to  
48 read as follows:

49 724.19 Issuance of ~~annual~~ permit to acquire.

50 The ~~annual~~ permit to acquire pistols or revolvers



1 shall be issued to the applicant immediately upon  
2 completion of the application unless the applicant is  
3 disqualified under the provisions of section 724.15and  
4 or 724.17. The permit shall be on a form have a  
5 uniform appearance, size, and content prescribed and  
6 published by the commissioner of public safety. The  
7 permit shall contain the name of the permittee, the  
8 residence of the permittee, and the effective date  
9 of the permit, but shall not contain the permittee's  
10 social security number. Such a permit shall not be  
11 issued for a particular pistol or revolver and shall  
12 not contain information about a particular pistol or  
13 revolver including the make, model, or serial number of  
14 the pistol or revolver, or any ammunition used in such  
15 a pistol or revolver.

16 Sec. \_\_\_\_\_. Section 724.20, Code 2015, is amended to  
17 read as follows:

18 724.20 Validity of ~~annual~~ permit to acquire pistols  
19 or revolvers.

20 The permit shall be valid throughout the state and  
21 shall be valid three days after the date of application  
22 and shall be invalid ~~one year~~ five years after the date  
23 of application.

24 Sec. \_\_\_\_\_. Section 724.21A, subsections 1 and 7,  
25 Code 2015, are amended to read as follows:

26 1. In any case where the sheriff or the  
27 commissioner of public safety denies an application  
28 for or suspends or revokes a permit to carry weapons  
29 or ~~an annual~~ a permit to acquire pistols or revolvers,  
30 the sheriff or commissioner shall provide a written  
31 statement of the reasons for the denial, suspension,  
32 or revocation and the applicant or permit holder  
33 shall have the right to appeal the denial, suspension,  
34 or revocation to an administrative law judge in the  
35 department of inspections and appeals within thirty  
36 days of receiving written notice of the denial,  
37 suspension, or revocation.

38 7. In any case where the issuing officer denies an  
39 application for, or suspends or revokes a permit to  
40 carry weapons or ~~an annual~~ a permit to acquire pistols  
41 or revolvers solely because of an adverse determination  
42 by the national instant criminal background check  
43 system, the applicant or permit holder shall not seek  
44 relief under this section but may pursue relief of  
45 the national instant criminal background check system  
46 determination pursuant to Pub. L. No. 103-159, sections  
47 103(f) and (g) and 104 and 28 C.F.R. {25.10, or other  
48 applicable law. The outcome of such proceedings shall  
49 be binding on the issuing officer.

50 Sec. \_\_\_\_\_. Section 724.21A, Code 2015, is amended by

1 adding the following new subsection:

2 NEW SUBSECTION. 8. If an applicant appeals the  
3 decision by the sheriff or commissioner to deny an  
4 application, or suspend or revoke a permit to carry  
5 weapons or a permit to acquire, and it is later  
6 determined the applicant is eligible to be issued or  
7 possess such a permit, the applicant shall be awarded  
8 court costs and reasonable attorney fees. If the  
9 decision of the sheriff or commission to deny the  
10 application, or suspend or revoke the permit is upheld  
11 on appeal, the political subdivision of the state  
12 representing the sheriff or the commissioner shall be  
13 awarded court costs and reasonable attorney fees.

14 Sec. \_\_\_\_\_. Section 724.22, subsection 5, Code 2015,  
15 is amended to read as follows:

16 5. A parent or guardian or spouse who is twenty-one  
17 years of age or older, of a person ~~fourteen years of~~  
18 ~~age but less than~~ below the age of twenty-one may  
19 allow the person to possess a pistol or revolver or  
20 the ammunition therefor for any lawful purpose while  
21 under the direct supervision of the parent or guardian  
22 or spouse who is twenty-one years of age or older, or  
23 while the person receives instruction in the proper use  
24 thereof from an instructor twenty-one years of age or  
25 older, with the consent of such parent, guardian or  
26 spouse.

27 Sec. \_\_\_\_\_. Section 724.23, Code 2015, is amended to  
28 read as follows:

29 724.23 Records kept by commissioner and issuing  
30 officers.

31 1. a. The commissioner of public safety shall  
32 maintain a permanent record of all valid permits to  
33 carry weapons and of current permit revocations.

34 b. The permanent record shall be kept in a  
35 searchable database that is accessible on a statewide  
36 basis for the circumstances described in subsection 2,  
37 paragraph "b", "c", "d", or "e".

38 2. a. Notwithstanding any other law or rule to  
39 the contrary, the commissioner of public safety and  
40 any issuing officer shall keep confidential personally  
41 identifiable information of holders of permits to  
42 carry weapons and permits to acquire, including but not  
43 limited to the name, social security number, date of  
44 birth, residential or business address, and driver's  
45 license or other identification number of the applicant  
46 or permit holder.

47 b. This subsection shall not prohibit the  
48 release of statistical information relating to the  
49 issuance, denial, revocation, or administration of  
50 nonprofessional permits to carry weapons and permits to

1 acquire, provided that the release of such information  
2 does not reveal the identity of any individual permit  
3 holder.

4 c. This subsection shall not prohibit the release  
5 of information to any law enforcement agency or any  
6 employee or agent thereof when necessary for the  
7 purpose of investigating a possible violation of law  
8 and when probable cause exists, or to determine the  
9 validity of a permit, or for conducting a lawfully  
10 authorized background investigation.

11 d. This subsection shall not prohibit the  
12 release of information relating to the validity of a  
13 professional permit to carry weapons to an employer who  
14 requires an employee or an agent of the employer to  
15 possess a professional permit to carry weapons as part  
16 of the duties of the employee or agent.

17 e. (1) This subsection shall not prohibit the  
18 release of the information described in subparagraph  
19 (3) to a member of the public if the person, in writing  
20 or in person, requests whether another person has a  
21 professional or nonprofessional permit to carry weapons  
22 or a permit to acquire. The request must include  
23 the name of the other person and at least one of the  
24 following identifiers pertaining to the other person:

25 (a) The date of birth of the person.

26 (b) The address of the person.

27 (c) The telephone number of the person, including  
28 any landline or wireless numbers.

29 (2) Prior to the release of information under this  
30 paragraph "e", the member of the public requesting the  
31 information shall provide the department of public  
32 safety or issuing officer with the name of the person  
33 requesting the information and the reason for the  
34 request in writing even if the person appears in person  
35 to request such information. The department or issuing  
36 officer shall keep a record of the person making the  
37 request and the reason for such a request.

38 (3) The information released by the department  
39 of public safety or issuing officer shall be limited  
40 to an acknowledgment as to whether or not the person  
41 currently possesses a valid permit to carry weapons or  
42 a permit to acquire, the date such permit was issued,  
43 and whether the person has ever possessed such a permit  
44 that has been revoked or has expired and the date the  
45 permit was revoked or expired. No other information  
46 shall be released under this paragraph "e".

47 f. Except as provided in paragraphs "b", "c", "d",  
48 or "e", the release of any confidential information  
49 under this section shall require a court order or the  
50 consent of the person whose personally identifiable

1 information is the subject of the information request.

2 Sec. \_\_\_\_\_. Section 724.27, subsection 1, unnumbered  
3 paragraph 1, Code 2015, is amended to read as follows:

4 The provisions of section 724.8, section 724.15,  
5 subsection ~~4~~ 2, and section 724.26 shall not apply to  
6 a person who is eligible to have the person's civil  
7 rights regarding firearms restored under section 914.7  
8 if any of the following occur:

9 Sec. \_\_\_\_\_. NEW SECTION. 724.29A Fraudulent purchase  
10 of firearms or ammunition.

11 1. For purposes of this section:

12 a. "Ammunition" means any cartridge, shell, or  
13 projectile designed for use in a firearm.

14 b. "Licensed firearms dealer" means a person who is  
15 licensed pursuant to 18 U.S.C. {923 to engage in the  
16 business of dealing in firearms.

17 c. "Materially false information" means information  
18 that portrays an illegal transaction as legal or a  
19 legal transaction as illegal.

20 d. "Private seller" means a person who sells or  
21 offers for sale any firearm or ammunition.

22 2. A person who knowingly solicits, persuades,  
23 encourages, or entices a licensed firearms dealer or  
24 private seller of firearms or ammunition to transfer  
25 a firearm or ammunition under circumstances that the  
26 person knows would violate the laws of this state or of  
27 the United States commits a class "D" felony.

28 3. A person who knowingly provides materially  
29 false information to a licensed firearms dealer or  
30 private seller of firearms or ammunition with the  
31 intent to deceive the firearms dealer or seller about  
32 the legality of a transfer of a firearm or ammunition  
33 commits a class "D" felony.

34 4. Any person who willfully procures another to  
35 engage in conduct prohibited by this section shall be  
36 held accountable as a principal.

37 5. This section does not apply to a law enforcement  
38 officer acting in the officer's official capacity  
39 or to a person acting at the direction of such law  
40 enforcement officer.

41 Sec. \_\_\_\_\_. NEW SECTION. 724.32 Rules.

42 The department of public safety shall adopt rules  
43 pursuant to chapter 17A to administer this chapter.

44 Sec. \_\_\_\_\_. Section 805.8C, Code 2015, is amended by  
45 adding the following new subsections:

46 NEW SUBSECTION. 11. Duty to possess permit to carry  
47 weapons. For violations of section 724.4, subsection  
48 4, paragraph "i", subparagraph (2), the scheduled fine  
49 is ten dollars.

50 NEW SUBSECTION. 12. Failure to produce permit to

1 carry. For violations of section 724.5, the scheduled  
2 fine is ten dollars.

3 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following  
4 provision or provisions of this division of this Act,  
5 being deemed of immediate importance, take effect upon  
6 enactment:

7 1. The section of this division amending section  
8 724.1, subsection 1, paragraph "h".

9 2. The section of this division enacting new  
10 section 724.1A.

11 3. The section of this division amending section  
12 724.22.

13 4. The section of this division amending section  
14 724.23, subsection 2.

15 5. The section of this division amending section  
16 724.29A.

17 6. The applicability section of this division.

18 Sec. \_\_\_\_\_. APPLICABILITY. The section of this  
19 division of this Act amending section 724.23 applies  
20 to holders of nonprofessional permits to carry weapons  
21 and permits to acquire firearms and to applicants for  
22 nonprofessional permits to carry weapons and permits to  
23 acquire firearms on or after the effective date of that  
24 section of this division of this Act.

25 DIVISION \_\_\_\_\_  
26 STATUTE-OF-REPOSE

27 Sec. \_\_\_\_\_. Section 614.1, subsection 11, Code 2015,  
28 is amended to read as follows:

29 11. Improvements to real property.

30 a. Residential construction. In addition to  
31 limitations contained elsewhere in this section, an  
32 action arising out of the unsafe or defective condition  
33 of an improvement to ~~real property~~ residential  
34 construction based on tort and implied warranty and  
35 for contribution and indemnity, and founded on injury  
36 to property, real or personal, or injury to the person  
37 or wrongful death, shall not be brought more than  
38 fifteen years after the date on which occurred the act  
39 or omission of the defendant alleged in the action to  
40 have been the cause of the injury or death. However,  
41 this ~~subsection~~ paragraph does not bar an action  
42 against a person solely in the person's capacity as an  
43 owner, occupant, or operator of an improvement to real  
44 property.

45 b. Nonresidential construction. In addition to  
46 limitations contained elsewhere in this section, an  
47 action arising out of the unsafe or defective condition  
48 of an improvement to nonresidential construction based  
49 on tort and implied warranty and for contribution and  
50 indemnity, and founded on injury to property, real or

1 personal, or injury to the person or wrongful death,  
2 shall not be brought more than ten years after the date  
3 on which occurred the act or omission of the defendant  
4 alleged in the action to have been the cause of the  
5 injury or death. However, this paragraph does not  
6 bar an action against a person solely in the person's  
7 capacity as an owner, occupant, or operator of an  
8 improvement to real property.

9 c. Definitions. For purposes of this subsection,  
10 "residential construction" means the same as defined  
11 in section 572.1. "Nonresidential construction"  
12 means all other construction that is not residential  
13 construction.

14 Sec. \_\_\_\_\_. APPLICABILITY. This division of this  
15 Act does not apply to residential-construction or  
16 nonresidential-construction projects in existence prior  
17 to the effective date of this division of this Act.

18 DIVISION \_\_\_\_\_  
19 EDUCATION BUDGETING MATTERS

20 Sec. \_\_\_\_\_. Section 8.22A, subsection 2, Code 2015,  
21 is amended to read as follows:

22 2. The conference shall meet as often as deemed  
23 necessary, but shall meet at least three times per year  
24 with at least one meeting taking place each year in  
25 March. The conference may use sources of information  
26 deemed appropriate. At each meeting, the conference  
27 shall agree to estimates for the current fiscal year  
28 and the following fiscal year for the general fund  
29 of the state, lottery revenues to be available for  
30 disbursement, and from gambling revenues and from  
31 interest earned on the cash reserve fund and the  
32 economic emergency fund to be deposited in the rebuild  
33 Iowa infrastructure fund. At the meeting taking  
34 place each year in March, in addition to agreeing to  
35 estimates for the current fiscal year and the following  
36 fiscal year, the conference shall agree to estimates  
37 for the fiscal year beginning July 1 of the following  
38 calendar year. Only an estimate for the following  
39 fiscal year agreed to by the conference pursuant to  
40 subsection 3, 4, or 5, shall be used for purposes  
41 of calculating the state general fund expenditure  
42 limitation under section 8.54, and any other estimate  
43 agreed to shall be considered a preliminary estimate  
44 that shall not be used for purposes of calculating the  
45 state general fund expenditure limitation.

46 Sec. \_\_\_\_\_. Section 257.8, subsections 1 and 2, Code  
47 2015, are amended to read as follows:

48 1. State percent of growth.

49 a. The state percent of growth for the budget year  
50 beginning July 1, 2012, is two percent. The state

1 percent of growth for the budget year beginning July 1, 2013, is two percent. The state percent of growth for the budget year beginning July 1, 2014, is four percent.

5 b. (1) The state percent of growth for each subsequent budget year beginning before July 1, 2017, shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21.

11 (2) The state percent of growth for each subsequent budget year beginning on or after July 1, 2017, shall be established by statute which shall be enacted during the regular legislative session beginning in the same calendar year during which the base year begins.

16 c. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

20 2. Categorical state percent of growth.

21 a. The categorical state percent of growth for the budget year beginning July 1, 2012, is two percent. The categorical state percent of growth for the budget year beginning July 1, 2013, is two percent. The categorical state percent of growth for the budget year beginning July 1, 2014, is four percent.

27 b. (1) The categorical state percent of growth for each subsequent budget year beginning before July 1, 2017, shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21.

33 (2) The categorical state percent of growth for each subsequent budget year beginning on or after July 1, 2017, shall be established by statute which shall be enacted during the regular legislative session beginning in the same calendar year during which the base year begins.

39 c. The establishment of the categorical state percent of growth for a budget year shall be the only subject matter of the bill which enacts the categorical state percent of growth for a budget year.

43 d. The categorical state percent of growth may include state percents of growth for the teacher salary supplement, the professional development supplement, the early intervention supplement, and the teacher leadership supplement.

48 DIVISION \_\_\_\_\_

49 HEALTH CARRIER DISCLOSURES

50 Sec. \_\_\_\_\_. NEW SECTION. 514K.2 Health carrier



1 disclosures ---- public internet sites.  
2 1. A carrier that provides small group health  
3 coverage pursuant to chapter 513B or individual health  
4 coverage pursuant to chapter 513C and that offers  
5 for sale a policy, contract, or plan that covers the  
6 essential health benefits required pursuant to section  
7 1302 of the federal Patient Protection and Affordable  
8 Care Act, Pub. L. No. 111-148, and its implementing  
9 regulations, shall provide to each of its enrollees  
10 at the time of enrollment, and shall make available  
11 to prospective enrollees and enrollees, insurance  
12 producers licensed under chapter 522B, and the general  
13 public, on the carrier's internet site, all of the  
14 following information in a clear and understandable  
15 form for use in comparing policies, contracts, and  
16 plans, and coverage and premiums:  
17 a. Any exclusions from coverage and any  
18 restrictions on the use or quantity of covered items  
19 and services in each category of benefits, including  
20 prescription drugs and drugs administered by a  
21 physician or clinic.  
22 b. Any items or services, including prescription  
23 drugs, that have a coinsurance requirement where the  
24 cost-sharing required depends on the cost of the item  
25 or service.  
26 c. The specific prescription drugs available on  
27 the carrier's formulary, the specific prescription  
28 drugs covered when furnished by a physician or clinic,  
29 and any clinical prerequisites or prior authorization  
30 requirements for coverage of the drugs.  
31 d. The specific types of specialists available  
32 in the carrier's network and the specific physicians  
33 included in the carrier's network.  
34 e. The process for an enrollee to appeal a  
35 carrier's denial of coverage of an item or service  
36 prescribed or ordered by the enrollee's treating  
37 physician.  
38 f. How medications will specifically be included  
39 in or excluded from the deductible, including a  
40 description of all out-of-pocket costs that may not  
41 apply to the deductible for a prescription drug.  
42 2. The commissioner may adopt rules pursuant to  
43 chapter 17A to administer this section.  
44 3. The commissioner may impose any of the sanctions  
45 provided under chapter 507B for a violation of this  
46 section.  
47 Sec. \_\_\_\_\_. NEW SECTION. 514K.3 Health care plan  
48 internal appeals process ---- disclosure requirements.  
49 1. A carrier that provides small group health  
50 coverage pursuant to chapter 513B or individual



1 health coverage pursuant to chapter 513C through the  
2 issuance of nongrandfathered health plans as defined  
3 in section 1251 of the federal Patient Protection  
4 and Affordable Care Act, Pub. L. No. 111-148, and  
5 in 45 C.F.R. {147.140, shall implement and maintain  
6 procedures for carrying out an effective internal  
7 claims and appeals process that meets the requirements  
8 established pursuant to section 2719 of the federal  
9 Public Health Service Act, 42 U.S.C. {300gg-19, and 45  
10 C.F.R. {147.136. The procedures shall include but are  
11 not limited to all of the following:

12 a. Expedited notification to enrollees of benefit  
13 determinations involving urgent care.

14 b. Full and fair internal review of claims and  
15 appeals.

16 c. Avoidance of conflicts of interest.

17 d. Sufficient notice to enrollees, including a  
18 description of available internal claims and appeals  
19 procedures, as well as information about how to  
20 initiate an appeal of a denial of coverage.

21 2. a. A carrier that provides health coverage  
22 as described in subsection 1 shall maintain written  
23 records of all requests for internal claims and appeals  
24 that are received and for which internal review was  
25 performed during each calendar year. Such records  
26 shall be maintained for at least three years.

27 b. A carrier that provides health coverage  
28 as described in subsection 1 shall submit to the  
29 commissioner, upon request, a report that includes all  
30 of the following:

31 (1) The total number of requests for internal  
32 review of claims and appeals that are received by the  
33 carrier each year.

34 (2) The average length of time for resolution of  
35 each request for internal review of a claim or appeal.

36 (3) A summary of the types of coverage or cases  
37 for which internal review of a claim or appeal was  
38 requested.

39 (4) Any other information required by the  
40 commissioner in a format specified by rule.

41 3. A carrier that provides health coverage as  
42 described in subsection 1 shall make available to  
43 consumers written notice of the carrier's internal  
44 claims and appeals and internal review procedures  
45 and shall maintain a toll-free consumer-assistance  
46 telephone helpline that offers consumers assistance  
47 with the carrier's internal claims and appeals and  
48 internal review procedures, including how to initiate,  
49 complete, or submit a claim or appeal.

50 4. The commissioner may adopt rules pursuant to

1 chapter 17A to administer this section.

2 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
3 is applicable to health insurance policies, contracts,  
4 or plans that are delivered, issued for delivery,  
5 continued, or renewed on or after January 1, 2016.

6 DIVISION \_\_\_\_\_

7 PUBLIC IMPROVEMENT LOCATION AND UNUSED PORTION OF  
8 CONDEMNED PROPERTY

9 Sec. \_\_\_\_\_. Section 6B.2C, Code 2015, is amended to  
10 read as follows:

11 6B.2C Approval of the public improvement.

12 The authority to condemn is not conferred, and the  
13 condemnation proceedings shall not commence, unless  
14 the governing body for the acquiring agency approves  
15 a preliminary or final route or site location of  
16 the proposed public improvement, approves the use of  
17 condemnation, and finds that there is a reasonable  
18 expectation the applicant will be able to achieve its  
19 public purpose, comply with all applicable standards,  
20 and obtain the necessary permits.

21 Sec. \_\_\_\_\_. Section 6B.56, subsection 1, Code 2015,  
22 is amended to read as follows:

23 1. If all or a portion of real property condemned  
24 pursuant to this chapter is not used for the purpose  
25 stated in the application filed pursuant to section  
26 6B.3 and the acquiring agency seeks to dispose of  
27 the unused real property, the acquiring agency shall  
28 first offer the unused real property for sale to the  
29 prior owner of the condemned property as provided in  
30 this section. If real property condemned pursuant to  
31 this chapter is used for the purpose stated in the  
32 application filed pursuant to section 6B.3 and the  
33 acquiring agency seeks to dispose of the real property  
34 by sale to a private person or entity within five years  
35 after acquisition of the property, the acquiring agency  
36 shall first offer the property for sale to the prior  
37 owner of the condemned property as provided in this  
38 section. For purposes of this section, the prior owner  
39 of the real property includes the successor in interest  
40 of the real property.

41 Sec. \_\_\_\_\_. Section 6B.56, subsection 2, paragraph a,  
42 Code 2015, is amended to read as follows:

43 a. Before the real property described in subsection  
44 1 may be offered for sale to the general public,  
45 the acquiring agency shall notify the prior owner  
46 of ~~the~~ such real property ~~condemned~~ in writing of  
47 the acquiring agency's intent to dispose of the real  
48 property, of the current appraised value of the real  
49 property to be offered for sale, and of the prior  
50 owner's right to purchase the real property to be

1 offered for sale within sixty days from the date  
2 the notice is served at a price equal to the current  
3 appraised value of the real property to be offered for  
4 sale or the fair market value of the property to be  
5 offered for sale at the time it was acquired by the  
6 acquiring agency from the prior owner plus cleanup  
7 costs incurred by the acquiring agency for the property  
8 to be offered for sale, whichever is less. However,  
9 the current appraised value of the real property to be  
10 offered for sale shall be the purchase price to be paid  
11 by the previous owner if any other amount would result  
12 in a loss of federal funding for projects funded in  
13 whole or in part with federal funds. The notice sent  
14 by the acquiring agency as provided in this subsection  
15 shall be filed with the office of the recorder in the  
16 county in which the real property is located.

17 Sec. \_\_\_\_\_. Section 6B.56A, subsection 1, Code 2015,  
18 is amended to read as follows:

19 1. When five years have elapsed since property was  
20 condemned and all or a portion of the property has not  
21 been used for the purpose stated in the application  
22 filed pursuant to section 6B.3, and the acquiring  
23 agency has not taken action to dispose of the unused  
24 property pursuant to section 6B.56, the acquiring  
25 agency shall, within sixty days, adopt a resolution  
26 reaffirming the purpose for which the property will be  
27 used or offering the property for sale to the prior  
28 owner at a price as provided in section 6B.56. If the  
29 resolution adopted approves an offer of sale to the  
30 prior owner, the offer shall be made in writing and  
31 mailed by certified mail to the prior owner. The prior  
32 owner has one hundred eighty days after the offer is  
33 mailed to purchase the property from the acquiring  
34 agency.

35 Sec. \_\_\_\_\_. APPLICABILITY. The section of this  
36 division of this Act amending section 6B.2C applies to  
37 public improvement projects for which an application  
38 under section 6B.3 is filed on or after July 1, 2015.

39 Sec. \_\_\_\_\_. APPLICABILITY. The sections of this  
40 division of this Act amending sections 6B.56 and 6B.56A  
41 apply to public improvement projects for which an  
42 application under section 6B.3 is filed before, on, or  
43 after July 1, 2015.

44 DIVISION \_\_\_\_\_  
45 CONDEMNATION FOR CREATION OF A LAKE ---- NUMBER OF ACRES

46 Sec. \_\_\_\_\_. Section 6A.22, subsection 2, paragraph c,  
47 subparagraph (1), subparagraph division (b), Code 2015,  
48 is amended to read as follows:

49 (b) (i) For purposes of this subparagraph (1),  
50 "number of acres justified as necessary for a surface

1 drinking water source" means according to guidelines of  
2 the United States natural resource conservation service  
3 and according to analyses of surface drinking water  
4 capacity needs conducted by one or more registered  
5 professional engineers.

6 (ii) For condemnation proceedings for which the  
7 application pursuant to section 6B.3 was filed after  
8 January 1, 2013, for condemnation of property located  
9 in a county with a population of greater than nine  
10 thousand two hundred fifty but less than nine thousand  
11 three hundred, according to the 2010 federal decennial  
12 census, which property was in whole or in part subject  
13 to an action under section 6A.24 for which the petition  
14 under section 6A.24 was filed after January 1, 2013,  
15 but before January 1, 2014, "number of acres justified  
16 as necessary for a surface drinking water source", as  
17 determined under subparagraph subdivision (i) shall  
18 not exceed the number of acres that would be necessary  
19 to provide the amount of drinking water to meet the  
20 needs of a population equal to the population of the  
21 county where the lake is to be developed or created,  
22 according to the most recent federal decennial census.  
23 However, if the population of the county where the  
24 lake is to be developed or created increased from the  
25 federal decennial census immediately preceding the  
26 most recent federal decennial census, the "number of  
27 acres justified as necessary for a surface drinking  
28 water source" shall not exceed the number of acres that  
29 would be necessary to provide the amount of drinking  
30 water to meet the needs of a population equal to the  
31 product of one plus the percentage increase in the  
32 population of the county between the two most recent  
33 federal decennial censuses multiplied by the county's  
34 population according to the most recent federal  
35 decennial census.

36 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
37 of this Act, being deemed of immediate importance,  
38 takes effect upon enactment.

39 DIVISION \_\_\_\_\_  
40 CONDEMNATION FOR CREATION OF A LAKE ---- EXISTING SOURCES

41 Sec. \_\_\_\_\_. Section 6A.22, subsection 2, paragraph c,  
42 subparagraph (1), Code 2015, is amended by adding the  
43 following new subparagraph division:

44 NEW SUBPARAGRAPH DIVISION. (0b) For condemnation  
45 of property located in a county with a population  
46 of greater than nine thousand two hundred fifty but  
47 less than nine thousand three hundred, according to  
48 the 2010 federal decennial census, prior to making  
49 a determination that development or creation of a  
50 lake as a surface drinking water source is reasonable

1 and necessary, the acquiring agency shall conduct a  
2 review of feasible alternatives to development or  
3 creation of a lake as a surface drinking water source.  
4 An acquiring agency shall not have the authority  
5 to condemn private property for the development or  
6 creation of a lake as a surface drinking water source  
7 if one or more feasible alternatives to provision of  
8 a drinking water source exist. An alternative that  
9 results in the physical expansion of an existing  
10 drinking water source is presumed to be a feasible  
11 alternative to development or creation of a lake as  
12 a surface drinking water source. An alternative that  
13 supplies drinking water by pipeline or other method of  
14 transportation or transmission from an existing source  
15 located within or outside this state at a reasonable  
16 cost is a feasible alternative to development or  
17 creation of a lake as a surface drinking water source.  
18 If private property is to be condemned for development  
19 or creation of a lake, only that number of acres  
20 justified as necessary for a surface drinking water  
21 source, and not otherwise acquired, may be condemned.  
22 Development or creation of a lake as a surface drinking  
23 water source includes all of the following:

24 (i) Construction of the dam, including sites for  
25 suitable borrow material and the auxiliary spillway.

26 (ii) The water supply pool.

27 (iii) The sediment pool.

28 (iv) The flood control pool.

29 (v) The floodwater retarding pool.

30 (vi) The surrounding area upstream of the dam  
31 no higher in elevation than the top of the dam's  
32 elevation.

33 (vii) The appropriate setback distance required  
34 by state or federal laws and regulations to protect  
35 drinking water supply.

36 Sec. \_\_\_\_\_. Section 6A.24, subsection 3, Code 2015,  
37 is amended to read as follows:

38 3. For any action brought under this section,  
39 the burden of proof shall be on the acquiring agency  
40 to prove by a preponderance of the evidence that  
41 the finding of public use, public purpose, or public  
42 improvement meets the definition of those terms.  
43 However, for any action brought under this section  
44 that involves property described in section 6A.22,  
45 subsection 2, paragraph "c", subparagraph (1),  
46 subparagraph division (0b), the burden of proof shall  
47 be on the acquiring agency to prove by clear and  
48 convincing evidence that no feasible alternatives  
49 to provision of a drinking water source exist. If a  
50 property owner or a contract purchaser of record or a

1 tenant occupying the property under a recorded lease  
2 prevails in an action brought under this section, the  
3 acquiring agency shall be required to pay the costs,  
4 including reasonable attorney fees, of the adverse  
5 party.

6 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
7 of this Act, being deemed of immediate importance,  
8 takes effect upon enactment.

9 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
10 applies to projects or condemnation proceedings pending  
11 or commenced on or after the effective date of this  
12 division of this Act.

13 DIVISION \_\_\_\_\_  
14 DISPOSITION OF CONDEMNED PROPERTY

15 Sec. \_\_\_\_\_. Section 6B.56A, subsection 4, Code 2015,  
16 is amended to read as follows:

17 4. This section does not apply to property acquired  
18 for street and highway projects undertaken by the  
19 state, a county, or a city or to property that is  
20 subject to the disposition of property requirements  
21 under section 6B.56B.

22 Sec. \_\_\_\_\_. NEW SECTION. 6B.56B Disposition of  
23 condemned property ---- lake creation.

24 1. When two years have elapsed since property was  
25 condemned for the creation of a lake according to the  
26 requirements of section 6A.22, subsection 2, paragraph  
27 "c", subparagraph (1), subparagraph division (0b), and  
28 the property has not been used for the purpose stated  
29 in the application filed pursuant to section 6B.3, and  
30 the acquiring agency has not taken action to dispose of  
31 the property pursuant to section 6B.56, the acquiring  
32 agency shall, within sixty days, adopt a resolution  
33 offering the property for sale to the prior owner at a  
34 price as provided in section 6B.56. If the resolution  
35 adopted approves an offer of sale to the prior owner,  
36 the offer shall be made in writing and mailed by  
37 certified mail to the prior owner. The prior owner has  
38 one hundred eighty days after the offer is mailed to  
39 purchase the property from the acquiring agency.

40 2. If the acquiring agency has not adopted a  
41 resolution described in subsection 1 within the  
42 sixty-day time period, the prior owner may, in writing,  
43 petition the acquiring agency to offer the property  
44 for sale to the prior owner at a price as provided in  
45 section 6B.56. Within sixty days after receipt of  
46 such a petition, the acquiring agency shall adopt a  
47 resolution described in subsection 1. If the acquiring  
48 agency does not adopt such a resolution within sixty  
49 days after receipt of the petition, the acquiring  
50 agency is deemed to have offered the property for sale

1 to the prior owner.

2 3. The acquiring agency shall give written notice  
3 to the owner of the right to purchase the property  
4 under this section at the time damages are paid to the  
5 owner.

6 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
7 of this Act, being deemed of immediate importance,  
8 takes effect upon enactment.

9 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
10 applies to projects or condemnation proceedings pending  
11 or commenced on or after the effective date of this  
12 division of this Act.

13 DIVISION \_\_\_\_\_

14 RENEWABLE CHEMICAL PRODUCTION TAX CREDIT

15 Sec. \_\_\_\_\_. Section 15.119, subsection 2, Code 2015,  
16 is amended by adding the following new paragraph:

17 NEW PARAGRAPH. h. The renewable chemical  
18 production tax credit program administered pursuant  
19 to sections 15.315 through 15.320. In allocating tax  
20 credits pursuant to this subsection, the authority  
21 shall not allocate more than fifteen million dollars  
22 for purposes of this paragraph.

23 Sec. \_\_\_\_\_. NEW SECTION. 15.315 Short title.

24 This part shall be known and may be cited as the  
25 "Renewable Chemical Production Tax Credit Program".

26 Sec. \_\_\_\_\_. NEW SECTION. 15.316 Definitions.

27 As used in this part, unless the context otherwise  
28 requires:

29 1. "Biobased content percentage" means, with respect  
30 to any renewable chemical, the amount, expressed as a  
31 percentage, of renewable organic material present as  
32 determined by testing representative samples using the  
33 American society for testing and materials standard  
34 D6866.

35 2. "Biomass feedstock" means sugar, polysaccharide,  
36 glycerin, lignin, fat, grease, or oil derived from  
37 a plant or animal, or a protein capable of being  
38 converted to a building block chemical by means of a  
39 biological or chemical conversion process.

40 3. "Building block chemical" means a molecule  
41 converted from biomass feedstock as a first product  
42 or a secondarily derived product that can be further  
43 refined into a higher-value chemical, material, or  
44 consumer product. "Building block chemical" includes  
45 but is not limited to glycerol, methanoic or formic  
46 acid, arabonic acid, erythronic acid, glyceric acid,  
47 glycolic acid, lactic acid, 3-hydroxypropionate,  
48 propionic acid, malonic acid, serine, succinic  
49 acid, fumaric acid, malic acid, aspartic acid,  
50 3-hydroxybutyrolactone, acetoin, threonine, itaconic



1 acid, furfural, levulinic acid, glutamic acid, xylonic  
2 acid, xylaric acid, xylitol, arabitol, citric acid,  
3 aconitic acid, 5-hydroxymethylfurfural, lysine,  
4 gluconic acid, glucaric acid, sorbitol, gallic acid,  
5 ferulic acid, nonfuel butanol, nonfuel ethanol, a  
6 polymer or gum that can be produced directly from a  
7 protein-based biomass feedstock, or such additional  
8 molecules as may be included by the authority by rule.

9 4. "Eligible business" means a business meeting the  
10 requirements of section 15.317.

11 5. "Food additive" means a building block chemical  
12 that is not primarily consumed as food but which, when  
13 combined with other components, improves the taste,  
14 appearance, odor, texture, or nutritional content  
15 of food. The authority, in its discretion, shall  
16 determine whether or not a building block chemical is  
17 primarily consumed as food.

18 6. "Program" means the renewable chemical  
19 production tax credit program administered pursuant to  
20 this part.

21 7. "Renewable chemical" means a building block  
22 chemical with a biobased content percentage of at least  
23 fifty percent. "Renewable chemical" does not include a  
24 chemical sold or used for the production of food, feed,  
25 or fuel. "Renewable chemical" includes cellulosic  
26 ethanol, starch ethanol, or other ethanol derived  
27 from biomass feedstock, fatty acid methyl esters, or  
28 butanol, but only to the extent that such molecules  
29 are produced and sold for uses other than food,  
30 feed, or fuel. "Renewable chemical" also includes a  
31 building block chemical that can be a food additive as  
32 long as the building block chemical is not primarily  
33 consumed as food and is also sold for uses other than  
34 food. "Renewable chemical" also includes supplements,  
35 vitamins, nutraceuticals, and pharmaceuticals, but  
36 only to the extent that such molecules do not provide  
37 caloric value so as to be considered sustenance as food  
38 or feed.

39 8. "Sugar" means the organic compound glucose,  
40 fructose, xylose, arabinose, lactose, sucrose, starch,  
41 cellulose, or hemicellulose.

42 Sec. \_\_\_\_ NEW SECTION. 15.317 Eligibility  
43 requirements.

44 To be eligible to receive the renewable chemical  
45 production tax credit pursuant to the program, a  
46 business shall meet all of the following requirements:

47 1. The business is physically located in this  
48 state.

49 2. The business is operated for profit and under  
50 single management.



1 3. The business is not an entity providing  
2 professional services, health care services, or medical  
3 treatments or an entity engaged primarily in retail  
4 operations.

5 4. The business organized, expanded, or located  
6 in the state on or after the effective date of this  
7 division of this Act.

8 5. The business shall not be relocating or  
9 reducing operations as described in section 15.329,  
10 subsection 1, paragraph "b", and as determined under  
11 the discretion of the authority.

12 6. The business is in compliance with all  
13 agreements entered into under this program or other  
14 programs administered by the authority.

15 Sec. \_\_\_\_\_. NEW SECTION. 15.318 Eligible business  
16 application and agreement ---- maximum tax credits.

17 1. Application.

18 a. An eligible business that produces a renewable  
19 chemical in this state from biomass feedstock during  
20 a calendar year may apply to the authority for the  
21 renewable chemical production tax credit provided in  
22 section 15.319.

23 b. The application shall be made to the authority  
24 in the manner prescribed by the authority.

25 c. The application shall be made during the  
26 calendar year following the calendar year in which the  
27 renewable chemicals are produced.

28 d. The authority may accept applications on a  
29 continuous basis or may establish, by rule, an annual  
30 application deadline.

31 e. The application shall include all of the  
32 following information:

33 (1) The amount of renewable chemicals produced  
34 in the state from biomass feedstock by the eligible  
35 business during the calendar year, measured in pounds.

36 (2) Any other information reasonably required  
37 by the authority in order to establish and verify  
38 eligibility under the program.

39 2. Agreement and fees.

40 a. Before being issued a tax credit under section  
41 15.319, an eligible business shall enter into an  
42 agreement with the authority for the successful  
43 completion of all requirements of the program.

44 b. The compliance cost fees authorized in section  
45 15.330, subsection 12, shall apply to all agreements  
46 entered into under this program and shall be collected  
47 by the authority in the same manner and to the same  
48 extent as described in that subsection.

49 c. An eligible business shall fulfill all the  
50 requirements of the program and the agreement before

1 receiving a tax credit or entering into a subsequent  
2 agreement under this section. The authority may  
3 decline to enter into a subsequent agreement under this  
4 section or issue a tax credit if an agreement is not  
5 successfully fulfilled.

6 d. Upon establishing that all requirements of the  
7 program and the agreement have been fulfilled, the  
8 authority shall issue a tax credit and related tax  
9 credit certificate to the eligible business stating  
10 the amount of renewable chemical production tax credit  
11 under section 15.319 the eligible business may claim.

12 3. Maximum tax credit amount.

13 a. The maximum amount of tax credit that may be  
14 issued under section 15.319 to an eligible business for  
15 the production of renewable chemicals in a calendar  
16 year shall not exceed the following:

17 (1) In the case of an eligible business that has  
18 been in operation in the state for five years or less  
19 at the time of the application, one million dollars.

20 (2) In the case of an eligible business that has  
21 been in operation in the state for more than five years  
22 at the time of the application, five hundred thousand  
23 dollars.

24 b. An eligible business shall not receive a tax  
25 credit for renewable chemicals produced before the date  
26 the business first qualified as an eligible business  
27 pursuant to section 15.317.

28 c. An eligible business shall not receive more than  
29 five tax credits under the program.

30 d. The authority shall issue tax credits under  
31 the program on a first-come, first-served basis until  
32 the maximum amount of tax credits allocated pursuant  
33 to section 15.119, subsection 2, paragraph "h", is  
34 reached. The authority shall maintain a list of  
35 successful applicants under the program, so that if  
36 the maximum aggregate amount of tax credits is reached  
37 in a given fiscal year, eligible businesses that  
38 successfully applied but for which tax credits were not  
39 issued shall be placed on a wait list in the order the  
40 eligible businesses applied and shall be given priority  
41 for receiving tax credits in succeeding fiscal years.  
42 Placement on a wait list pursuant to this paragraph  
43 shall not constitute a promise binding the state. The  
44 availability of a tax credit and issuance of a tax  
45 credit certificate pursuant to this subsection in a  
46 future fiscal year is contingent upon the availability  
47 of tax credits in that particular fiscal year.

48 4. Termination and repayment. The failure by an  
49 eligible business in fulfilling any requirement of  
50 the program or any of the terms and obligations of an

1 agreement entered into pursuant to this section may  
2 result in the reduction, termination, or rescission of  
3 the tax credits under section 15.319 and may subject  
4 the eligible business to the repayment or recapture  
5 of tax credits claimed. The repayment or recapture  
6 of tax credits pursuant to this subsection shall be  
7 accomplished in the same manner as provided in section  
8 15.330, subsection 2.

9 5. Confidentiality.

10 a. Except as provided in paragraph "b", any  
11 information or record in the possession of the  
12 authority with respect to the program shall be presumed  
13 by the authority to be a trade secret protected  
14 under chapter 550 or common law and shall be kept  
15 confidential by the authority unless otherwise ordered  
16 by a court.

17 b. The identity of a tax credit recipient and the  
18 amount of the tax credit shall be considered public  
19 information under chapter 22.

20 Sec. \_\_\_\_\_. NEW SECTION. 15.319 Renewable chemical  
21 production tax credit.

22 1. An eligible business that has entered into an  
23 agreement pursuant to section 15.318 may claim a tax  
24 credit equal to the product of five cents multiplied by  
25 the number of pounds of renewable chemicals produced  
26 in this state from biomass feedstock by the eligible  
27 business during the calendar year. However, an  
28 eligible business shall not receive a tax credit for  
29 the production of a secondarily derived building block  
30 chemical if that chemical is also the subject of a  
31 credit at the time of production as a first product.  
32 The renewable chemical production tax credit shall not  
33 be available for any renewable chemical produced before  
34 the 2016 calendar year, or after the 2026 calendar  
35 year.

36 2. The tax credit shall be allowed against taxes  
37 imposed under chapter 422, division II or III.

38 3. The tax credit shall be claimed for the tax year  
39 during which the eligible business was issued the tax  
40 credit.

41 4. An individual may claim a tax credit under this  
42 section of a partnership, limited liability company, S  
43 corporation, cooperative organized under chapter 501  
44 and filing as a partnership for federal tax purposes,  
45 estate, or trust electing to have income taxed  
46 directly to the individual. The amount claimed by the  
47 individual shall be based upon the pro rata share of  
48 the individual's earnings from the partnership, limited  
49 liability company, S corporation, cooperative, estate,  
50 or trust.

1 5. Any tax credit in excess of the tax liability  
2 is refundable. In lieu of claiming a refund, the  
3 taxpayer may elect to have the overpayment shown on the  
4 taxpayer's final, completed return credited to the tax  
5 liability for the following tax year.

6 6. a. To claim a tax credit under this section,  
7 a taxpayer shall include one or more tax credit  
8 certificates with the taxpayer's tax return.

9 b. The tax credit certificate shall contain the  
10 taxpayer's name, address, tax identification number,  
11 the amount of the credit, the name of the eligible  
12 business, and any other information required by the  
13 department of revenue.

14 c. The tax credit certificate, unless rescinded  
15 by the authority, shall be accepted by the department  
16 of revenue as payment for taxes imposed pursuant to  
17 chapter 422, divisions II and III, subject to any  
18 conditions or restrictions placed by the authority upon  
19 the face of the tax credit certificate and subject to  
20 the limitations of the program.

21 d. Tax credit certificates issued pursuant to this  
22 section shall not be transferred to any other person.

23 Sec. \_\_\_\_\_. NEW SECTION. 15.320 Rules.

24 The authority and the department of revenue shall  
25 each adopt rules as necessary for the implementation  
26 and administration of this part.

27 Sec. \_\_\_\_\_. NEW SECTION. 422.10A Renewable chemical  
28 production tax credit.

29 The taxes imposed under this division, less the  
30 credits allowed under section 422.12, shall be reduced  
31 by a renewable chemical production tax credit allowed  
32 under section 15.319.

33 Sec. \_\_\_\_\_. Section 422.33, Code 2015, is amended by  
34 adding the following new subsection:

35 NEW SUBSECTION. 22. The taxes imposed under this  
36 division shall be reduced by a renewable chemical  
37 production tax credit allowed under section 15.319.

38 Sec. \_\_\_\_\_. TAX CREDIT CLAIMS. Renewable chemical  
39 production tax credits issued pursuant to the renewable  
40 chemical production tax credit program enacted in  
41 this division of this Act shall not be issued by  
42 the economic development authority prior to July 1,  
43 2017, and shall not be claimed by a taxpayer prior to  
44 September 1, 2017.

45 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
46 of this Act, being deemed of immediate importance,  
47 takes effect upon enactment.

48 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
49 applies to renewable chemicals produced in the state  
50 from biomass feedstock on or after January 1, 2016.

1 DIVISION \_\_\_\_\_  
2 ANGEL INVESTOR TAX CREDITS  
3 Sec. \_\_\_\_\_. Section 2.48, subsection 3, paragraph  
4 d, subparagraph (1), Code 2015, is amended to read as  
5 follows:  
6 (1) Tax credits for investments in qualifying  
7 businesses ~~and community-based seed capital funds~~ under  
8 chapter 15E, division V.  
9 Sec. \_\_\_\_\_. Section 15.119, subsection 2, paragraph  
10 d, Code 2015, is amended to read as follows:  
11 d. The tax credits for investments in qualifying  
12 businesses ~~and community-based seed capital funds~~  
13 issued pursuant to section 15E.43. In allocating tax  
14 credits pursuant to this subsection, the authority  
15 shall allocate two million dollars for purposes of this  
16 paragraph, unless the authority determines that the tax  
17 credits awarded will be less than that amount.  
18 Sec. \_\_\_\_\_. Section 15E.41, Code 2015, is amended by  
19 striking the section and inserting in lieu thereof the  
20 following:  
21 15E.41 Purpose.  
22 The purpose of this division is to stimulate job  
23 growth, create wealth, and accelerate the creation  
24 of new ventures by using investment tax credits to  
25 incentivize the transfer of capital from investors to  
26 entrepreneurs, particularly during early-stage growth.  
27 Sec. \_\_\_\_\_. Section 15E.42, Code 2015, is amended by  
28 adding the following new subsection:  
29 NEW SUBSECTION. 2A. "Entrepreneurial assistance  
30 program" includes the entrepreneur investment awards  
31 program administered under section 15E.362, the receipt  
32 of services from a service provider engaged pursuant  
33 to section 15.411, subsection 1, or the program  
34 administered under section 15.411, subsection 2.  
35 Sec. \_\_\_\_\_. Section 15E.42, subsection 3, Code 2015,  
36 is amended to read as follows:  
37 3. "Investor" means a person making a cash  
38 investment in a qualifying business ~~or in a~~  
39 ~~community-based seed capital fund~~. "Investor" does not  
40 include a person that holds at least a seventy percent  
41 ownership interest as an owner, member, or shareholder  
42 in a qualifying business.  
43 Sec. \_\_\_\_\_. Section 15E.42, subsection 4, Code 2015,  
44 is amended by striking the subsection.  
45 Sec. \_\_\_\_\_. Section 15E.43, subsections 1 and 2, Code  
46 2015, are amended to read as follows:  
47 1. a. For tax years beginning on or after January  
48 1, ~~2002~~ 2015, a tax credit shall be allowed against the  
49 taxes imposed in chapter 422, divisions II, III, and V,  
50 and in chapter 432, and against the moneys and credits

1 tax imposed in section 533.329, for a portion of a  
2 taxpayer's equity investment, as provided in subsection  
3 2, in a qualifying business ~~or a community-based seed~~  
4 ~~capital fund.~~

5 b. An individual may claim a tax credit under this  
6 ~~paragraph~~ section of a partnership, limited liability  
7 company, S corporation, estate, or trust electing  
8 to have income taxed directly to the individual.

9 The amount claimed by the individual shall be based  
10 upon the pro rata share of the individual's earnings  
11 from the partnership, limited liability company, S  
12 corporation, estate, or trust.

13 ~~b. c.~~ c. A tax credit shall be allowed only for an  
14 investment made in the form of cash to purchase equity  
15 in a qualifying business ~~or in a community-based seed~~  
16 ~~capital fund. A taxpayer that has received a tax~~  
17 ~~credit for an investment in a community-based seed~~  
18 ~~capital fund shall not claim the tax credit prior to~~  
19 ~~the third tax year following the tax year in which the~~  
20 ~~investment is made. Any tax credit in excess of the~~  
21 ~~taxpayer's liability for the tax year may be credited~~  
22 ~~to the tax liability for the following five years or~~  
23 ~~until depleted, whichever is earlier. A tax credit~~  
24 ~~shall not be carried back to a tax year prior to the~~  
25 ~~tax year in which the taxpayer redeems the tax credit.~~

26 e. ~~In the case of a tax credit allowed against the~~  
27 ~~taxes imposed in chapter 422, division II, where the~~  
28 ~~taxpayer died prior to redeeming the entire tax credit,~~  
29 ~~the remaining credit can be redeemed on the decedent's~~  
30 ~~final income tax return.~~

31 d. For a tax credit claimed against the taxes  
32 imposed in chapter 422, division II, any tax credit in  
33 excess of the tax liability is refundable. In lieu of  
34 claiming a refund, the taxpayer may elect to have the  
35 overpayment shown on the taxpayer's final, completed  
36 return credited to the tax liability for the following  
37 tax year. For a tax credit claimed against the taxes  
38 imposed in chapter 422, divisions III and V, and in  
39 chapter 432, and against the moneys and credits tax  
40 imposed in section 533.329, any tax credit in excess  
41 of the taxpayer's liability for the tax year may be  
42 credited to the tax liability for the following three  
43 years or until depleted, whichever is earlier. A tax  
44 credit shall not be carried back to a tax year prior  
45 to the tax year in which the taxpayer redeems the tax  
46 credit.

47 2. a. The amount of the tax credit shall equal  
48 ~~twenty~~ twenty-five percent of the taxpayer's equity  
49 investment.

50 b. The maximum amount of a tax credit ~~for an~~

1 ~~investment by an investor in any one qualifying~~  
2 ~~business shall be fifty thousand dollars. Each year,~~  
3 ~~an investor and all affiliates of the investor shall~~  
4 ~~not claim tax credits under this section for more~~  
5 ~~than five different investments in five different~~  
6 ~~qualifying businesses that may be issued per calendar~~  
7 ~~year to a natural person and the person's spouse or~~  
8 ~~dependent shall not exceed one hundred thousand dollars~~  
9 ~~combined. For purposes of this paragraph, a tax credit~~  
10 ~~issued to a partnership, limited liability company, S~~  
11 ~~corporation, estate, or trust electing to have income~~  
12 ~~taxed directly to the individual shall be deemed to be~~  
13 ~~issued to the individual owners based upon the pro rata~~  
14 ~~share of the individual's earnings from the entity.~~  
15 ~~For purposes of this paragraph, "dependent" has the~~  
16 ~~same meaning as provided by the Internal Revenue Code.~~

17 c. The maximum amount of tax credits that may be  
18 issued per calendar year for equity investments in any  
19 one qualifying business shall not exceed five hundred  
20 thousand dollars.

21 Sec. \_\_\_\_\_. Section 15E.43, subsections 5 and 7, Code  
22 2015, are amended to read as follows:

23 5. A tax credit shall not be ~~transferable~~  
24 transferred to any other taxpayer person.

25 7. The authority shall develop a system for  
26 registration and ~~authorization~~ issuance of tax credits  
27 authorized pursuant to this division and shall control  
28 distribution of all tax ~~credits distributed credit~~  
29 certificates to investors pursuant to this division.  
30 The authority shall develop rules for the qualification  
31 and administration of qualifying businesses ~~and~~  
32 ~~community-based seed capital funds.~~ The department of  
33 revenue shall adopt ~~these criteria as administrative~~  
34 ~~rules and any other~~ rules pursuant to chapter 17A as  
35 necessary for the administration of this division.

36 Sec. \_\_\_\_\_. Section 15E.43, subsections 6 and 8, Code  
37 2015, are amended by striking the subsections.

38 Sec. \_\_\_\_\_. Section 15E.44, subsection 2, paragraph  
39 c, Code 2015, is amended by striking the paragraph and  
40 inserting in lieu thereof the following:

41 c. The business is participating in an  
42 entrepreneurial assistance program. The authority may  
43 waive this requirement if a business establishes that  
44 its owners, directors, officers, and employees have an  
45 appropriate level of experience such that participation  
46 in an entrepreneurial assistance program would not  
47 materially change the prospects of the business. The  
48 authority may consult with outside service providers in  
49 consideration of such a waiver.

50 Sec. \_\_\_\_\_. Section 15E.44, subsection 2, paragraphs



1 e and f, Code 2015, are amended to read as follows:

2 e. The business shall not have a net worth that  
3 exceeds ~~five~~ ten million dollars.

4 f. The business shall have secured all of the  
5 following at the time of application for tax credits:

6 (1) At least two investors.

7 (2) ~~total~~ Total equity financing, ~~near equity~~  
8 ~~financing~~, binding investment commitments, or some  
9 combination thereof, equal to at least ~~two hundred~~  
10 ~~fifty~~ five hundred thousand dollars, from investors.  
11 For purposes of this subparagraph, "investor" includes  
12 a person who executes a binding investment commitment  
13 to a business.

14 Sec. \_\_\_\_\_. Section 15E.46, Code 2015, is amended to  
15 read as follows:

16 15E.46 ~~Reports~~ Confidentiality ---- reports.

17 1. Except as provided in subsection 2, all  
18 information or records in the possession of the  
19 authority with respect to this division shall be  
20 presumed by the authority to be a trade secret  
21 protected under chapter 550 or common law and shall be  
22 kept confidential by the authority unless otherwise  
23 ordered by a court.

24 2. All of the following shall be considered public  
25 information under chapter 22:

26 a. The identity of a qualifying business.

27 b. The identity of an investor and the qualifying  
28 business in which the investor made an equity  
29 investment.

30 c. The number of tax credit certificates issued by  
31 the authority.

32 d. The total dollar amount of tax credits issued by  
33 the authority.

34 3. The authority shall publish an annual report  
35 of the activities conducted pursuant to this division  
36 and shall submit the report to the governor and the  
37 general assembly. The report shall include a listing  
38 of eligible qualifying businesses and the number of  
39 tax credit certificates and the amount of tax credits  
40 issued by the authority.

41 Sec. \_\_\_\_\_. Section 15E.52, subsection 4, Code 2015,  
42 is amended to read as follows:

43 4. A taxpayer shall not claim a tax credit under  
44 this section if the taxpayer is a venture capital  
45 investment fund allocation manager for the Iowa fund  
46 of funds created in section 15E.65 or an investor that  
47 receives a tax credit for the same investment in a  
48 qualifying business as described in section 15E.44 or  
49 in a community-based seed capital fund as described in  
50 section 15E.45, Code 2015.

1 Sec. \_\_\_\_\_. Section 422.11F, subsection 1, Code 2015,  
2 is amended to read as follows:

3 1. The taxes imposed under this division, less  
4 the credits allowed under section 422.12, shall be  
5 reduced by an investment tax credit authorized pursuant  
6 to section 15E.43 for an investment in a qualifying  
7 business ~~or a community-based seed capital fund.~~

8 Sec. \_\_\_\_\_. Section 422.33, subsection 12, paragraph  
9 a, Code 2015, is amended to read as follows:

10 a. The taxes imposed under this division shall be  
11 reduced by an investment tax credit authorized pursuant  
12 to section 15E.43 for an investment in a qualifying  
13 business ~~or a community-based seed capital fund.~~

14 Sec. \_\_\_\_\_. Section 422.60, subsection 5, paragraph  
15 a, Code 2015, is amended to read as follows:

16 a. The taxes imposed under this division shall be  
17 reduced by an investment tax credit authorized pursuant  
18 to section 15E.43 for an investment in a qualifying  
19 business ~~or a community-based seed capital fund.~~

20 Sec. \_\_\_\_\_. Section 432.12C, subsection 1, Code 2015,  
21 is amended to read as follows:

22 1. The tax imposed under this chapter shall be  
23 reduced by an investment tax credit authorized pursuant  
24 to section 15E.43 for an investment in a qualifying  
25 business ~~or a community-based seed capital fund.~~

26 Sec. \_\_\_\_\_. REPEAL. Section 15E.45, Code 2015, is  
27 repealed.

28 Sec. \_\_\_\_\_. TAX CREDIT CLAIMS. Tax credits for  
29 equity investments in qualifying businesses made on  
30 or after the effective date of this division of this  
31 Act shall not be issued by the economic development  
32 authority prior to July 1, 2016, and shall not be  
33 claimed by a taxpayer prior to September 1, 2016.

34 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
35 of this Act, being deemed of immediate importance,  
36 takes effect upon enactment.

37 Sec. \_\_\_\_\_. APPLICABILITY. Unless otherwise provided  
38 in this division of this Act, this division of this Act  
39 applies to equity investments in a qualifying business  
40 made on or after the effective date of this division of  
41 this Act, and equity investments made in a qualifying  
42 business or community-based seed capital fund prior to  
43 the effective date of this division of this Act shall  
44 be governed by sections 15E.41 through 15E.46, 422.11F,  
45 422.33, 422.60, 432.12C, and 533.329, Code 2015.

46 Sec. \_\_\_\_\_. APPLICABILITY. The sections of this  
47 division of this Act amending section 15E.44,  
48 subsection 2, apply to businesses that submit an  
49 application to the economic development authority to  
50 be registered as a qualifying business on or after

1 the effective date of this division of this Act, and  
2 businesses that submit an application to the economic  
3 development authority to be registered as a qualifying  
4 business before the effective date of this division  
5 of this Act shall be governed by section 15E.44,  
6 subsection 2, Code 2015.

7 DIVISION \_\_\_\_\_

8 ENTREPRENEUR INVESTMENT AWARDS PROGRAM

9 Sec. \_\_\_\_\_. Section 15E.362, Code 2015, is amended by  
10 striking the section and inserting in lieu thereof the  
11 following:

12 15E.362 Entrepreneur investment awards program.

13 1. For purposes of this division, unless the  
14 context otherwise requires:

15 a. "Business development services" includes but  
16 is not limited to corporate development services,  
17 business model development services, business planning  
18 services, marketing services, financial strategies and  
19 management services, mentoring and management coaching,  
20 and networking services.

21 b. "Eligible entrepreneurial assistance provider"  
22 means a person meeting the requirements of subsection  
23 3.

24 c. "Financial assistance" means the same as defined  
25 in section 15.327.

26 d. "Program" means the entrepreneur investment  
27 awards program administered pursuant to this division.

28 2. The authority shall establish and administer  
29 an entrepreneur investment awards program for  
30 purposes of providing financial assistance to eligible  
31 entrepreneurial assistance providers that provide  
32 technical and financial assistance to entrepreneurs and  
33 start-up companies seeking to create, locate, or expand  
34 a business in the state. Financial assistance under  
35 the program shall be provided from the entrepreneur  
36 investment awards program fund created in section  
37 15E.363.

38 3. In order to be eligible for financial assistance  
39 under the program an entrepreneurial assistance  
40 provider must meet all of the following requirements:

41 a. The provider must have its principal place of  
42 operations located in this state.

43 b. The provider must offer a comprehensive set  
44 of business development services to emerging and  
45 early-stage innovation companies to assist in the  
46 creation, location, growth, and long-term success of  
47 the company in this state.

48 c. The business development services may be  
49 performed at the physical location of the provider or  
50 the company.

1 d. The business development services may be  
2 provided in consideration of equity participation in  
3 the company, a fee for services, a membership agreement  
4 with the company, or any combination thereof.

5 4. Entrepreneurial assistance providers may apply  
6 for financial assistance under the program in the  
7 manner and form prescribed by the authority.

8 5. The economic development authority board in its  
9 discretion may approve, deny, or defer each application  
10 for financial assistance under the program from  
11 persons it determines to be an eligible entrepreneurial  
12 assistance provider.

13 6. Subject to subsection 7, the amount of financial  
14 assistance awarded to an eligible entrepreneurial  
15 assistance provider shall be within the discretion of  
16 the authority.

17 7. a. The maximum amount of financial assistance  
18 awarded to an eligible entrepreneurial assistance  
19 provider shall not exceed two hundred thousand dollars.

20 b. The maximum amount of financial assistance  
21 provided under the program shall not exceed one million  
22 dollars in a fiscal year.

23 8. The authority shall award financial assistance  
24 on a competitive basis. In making awards of financial  
25 assistance, the authority may develop scoring criteria  
26 and establish minimum requirements for the receipt of  
27 financial assistance under the program. In making  
28 awards of financial assistance, the authority may  
29 consider all of the following:

30 a. The business experience of the professional  
31 staff employed or retained by the eligible  
32 entrepreneurial assistance provider.

33 b. The business plan review capacity of the  
34 professional staff of the eligible entrepreneurial  
35 assistance provider.

36 c. The expertise in all aspects of business  
37 disciplines of the professional staff of the eligible  
38 entrepreneurial assistance provider.

39 d. The access of the eligible entrepreneurial  
40 assistance provider to external service providers,  
41 including legal, accounting, marketing, and financial  
42 services.

43 e. The service model and likelihood of success of  
44 the eligible entrepreneurial assistance provider and  
45 its similarity to other successful entrepreneurial  
46 assistance providers in the country.

47 f. The financial need of the eligible  
48 entrepreneurial assistance provider.

49 9. Financial assistance awarded to an eligible  
50 entrepreneurial assistance provider shall only be

1 used for the purpose of operating costs incurred by  
2 the eligible entrepreneurial assistance provider in  
3 providing business development services to emerging  
4 and early-stage innovation companies in this state.  
5 Such financial assistance shall not be distributed to  
6 owners or investors of the company to which business  
7 development services are provided and shall not  
8 be distributed to other persons assisting with the  
9 provision of business development services to the  
10 company.

11 10. The authority may contract with outside service  
12 providers for assistance with the program or may  
13 delegate the administration of the program to the Iowa  
14 innovation corporation pursuant to section 15.106B.

15 11. The authority may make client referrals to  
16 eligible entrepreneurial assistance providers.

17 Sec. \_\_\_\_\_. Section 15E.363, subsection 3, Code 2015,  
18 is amended to read as follows:

19 3. The Moneys credited to the fund are appropriated  
20 to the authority and shall be used to provide grants  
21 under the entrepreneur investment awards program  
22 established in section 15E.362 financial assistance  
23 under the program.

24 DIVISION \_\_\_\_\_

25 WORKFORCE HOUSING TAX INCENTIVES PROGRAM

26 Sec. \_\_\_\_\_. Section 15.354, subsection 3, paragraph  
27 e, Code 2015, is amended to read as follows:

28 e. (1) Upon review of the examination and  
29 verification of the amount of the qualifying new  
30 investment, the authority may issue a tax credit  
31 certificate to the housing business stating the amount  
32 of workforce housing investment tax credits under  
33 section 15.355 the eligible housing business may claim.

34 (2) If upon review of the examination in  
35 subparagraph (1) the authority determines that a  
36 housing project has incurred project costs in excess of  
37 the amount submitted in the application made pursuant  
38 to subsection 1, the authority shall do one of the  
39 following:

40 (a) If the project costs do not cause the housing  
41 project's average dwelling unit cost to exceed the  
42 applicable maximum amount authorized in section 15.353,  
43 subsection 3, the authority may consider the agreement  
44 fulfilled and may issue a tax credit certificate.

45 (b) If the project costs cause the housing  
46 project's average dwelling unit cost to exceed the  
47 applicable maximum amount authorized in section  
48 15.353, subsection 3, but does not cause the average  
49 dwelling unit cost to exceed one hundred ten percent  
50 of such applicable maximum amount, the authority

1 may consider the agreement fulfilled and may issue a  
2 tax credit certificate. In such case, the authority  
3 shall reduce the amount of tax incentives the eligible  
4 housing project may claim under section 15.355,  
5 subsections 2 and 3, by the same percentage that the  
6 housing project's average dwelling unit cost exceeds  
7 the applicable maximum amount under section 15.353,  
8 subsection 3, and such tax incentive reduction shall  
9 be reflected on the tax credit certificate. If  
10 the authority issues a certificate pursuant to this  
11 subparagraph division, the department of revenue shall  
12 accept the certificate notwithstanding that the housing  
13 project's average dwelling unit costs exceeds the  
14 maximum amount specified in section 15.353, subsection  
15 3.

16 (c) If the project costs cause the housing  
17 project's average dwelling unit cost to exceed one  
18 hundred ten percent of the applicable maximum amount  
19 authorized in 15.353, subsection 3, the authority  
20 shall determine the eligible housing business to be in  
21 default under the agreement and shall not issue a tax  
22 credit certificate.

23 Sec. \_\_\_\_. Section 15.355, subsection 2, Code 2015,  
24 is amended to read as follows:

25 2. A housing business may claim a refund of the  
26 sales and use taxes paid under chapter 423 that are  
27 directly related to a housing project. The refund  
28 available pursuant to this subsection shall be as  
29 provided in section 15.331A to the extent applicable  
30 for purposes of this program, excluding subsection  
31 2, paragraph "c", of that section. For purposes of  
32 the program, the term "project completion", as used  
33 in section 15.331A, shall mean the date on which the  
34 authority notifies the department of revenue that all  
35 applicable requirements of an agreement entered into  
36 pursuant to section 15.354 are satisfied.

37 Sec. \_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
38 of this Act, being deemed of immediate importance,  
39 takes effect upon enactment.

40 Sec. \_\_\_\_. RETROACTIVE APPLICABILITY. This division  
41 of this Act applies retroactively to May 30, 2014, for  
42 all agreements entered into pursuant to Code section  
43 15.354 on or after that date.

44 DIVISION \_\_\_\_  
45 MISCELLANEOUS CHANGES TO ECONOMIC DEVELOPMENT AUTHORITY  
46 PROGRAMS

47 Sec. \_\_\_\_. Section 15.293B, subsection 4, Code 2015,  
48 is amended to read as follows:

49 4. A registered project shall be completed within  
50 thirty months of the date the project was registered

1 unless the authority, upon recommendation of the  
2 council and approval of the board, provides additional  
3 time to complete the project. ~~A project shall not be~~  
4 ~~provided more than twelve months of additional time.~~

5 If the registered project is not completed within the  
6 time required, the project is not eligible to claim a  
7 tax credit provided in section 15.293A.

8 Sec. \_\_\_\_\_. SPECIAL PROJECT EXTENSION.

9 Notwithstanding any other provision of law to the  
10 contrary, the economic development authority may extend  
11 the project completion date for a project awarded tax  
12 incentives under both the redevelopment tax credit  
13 program in sections 15.293A and 15.293B and the housing  
14 enterprise zone tax incentives program in section  
15 15E.193B, Code 2014, if the property that is the  
16 subject of the project suffered a catastrophic fire  
17 during the 2014 calendar year.

18 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
19 of this Act, being deemed of immediate importance,  
20 takes effect upon enactment.

21 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The  
22 section of this division of this Act amending Code  
23 section 15.293B applies retroactively to qualifying  
24 redevelopment project agreements entered into on or  
25 after July 1, 2010, for which a request for a project  
26 extension is submitted to the economic development  
27 authority on or after January 1, 2015.

28 DIVISION \_\_\_\_

29 HOUSING ENTERPRISE TAX CREDIT

30 Sec. \_\_\_\_\_. 2014 Iowa Acts, chapter 1130, is amended  
31 by adding the following new section:

32 NEW SECTION. SEC. 41A. Notwithstanding the section  
33 of this Act repealing section 15E.193B, the economic  
34 development authority may enter into an agreement  
35 and issue housing enterprise tax credits to a housing  
36 business if all the following conditions are met:

37 1. The city or county in which the enterprise  
38 zone is located mailed, or caused to be mailed, the  
39 necessary program application forms on or after June 1,  
40 2014, and prior to July 1, 2014, but the applications  
41 were not received by the economic development  
42 authority. The economic development authority may  
43 accept an affidavit by a city to confirm timely mailing  
44 of the application forms, notwithstanding section  
45 622.105.

46 2. The application forms submitted pursuant to  
47 subsection 1 were approved by all necessary governing  
48 bodies and commissions of the city or county as  
49 required by chapter 15E, division XVIII, Code 2014.

50 3. The economic development authority determines



1 the housing business would otherwise be eligible under  
2 section 15E.193B, Code 2014.

3 4. The city or county and the eligible housing  
4 business meet all other requirements of the housing  
5 enterprise tax credit program under chapter 15E,  
6 division XVIII, Code 2014, and the agreement to be  
7 entered into pursuant to this section.

8 Sec. \_\_\_\_\_. 2014 Iowa Acts, chapter 1130, section 43,  
9 subsection 1, is amended to read as follows:

10 1. On or after the effective date of this division  
11 of this Act, a city or county shall not create an  
12 enterprise zone under chapter 15E, division XVIII,  
13 or enter into a new agreement or amend an existing  
14 agreement under chapter 15E, division XVIII, unless  
15 otherwise authorized in this Act.

16 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
17 of this Act, being deemed of immediate importance,  
18 takes effect upon enactment.

19 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This division  
20 of this Act applies retroactively to July 1, 2014.

21 DIVISION \_\_\_\_  
22 ELIGIBILITY VERIFICATION ---- UNEMPLOYMENT INSURANCE

23 Sec. \_\_\_\_\_. NEW SECTION. 96.55 Eligibility  
24 verification procedures.

25 1. The department shall establish procedures to  
26 accurately verify the eligibility to receive benefits  
27 of each individual filing a claim for benefits in order  
28 to prevent payment of fraudulent or erroneous benefits.  
29 The procedures shall include but not be limited to the  
30 following components:

31 a. A requirement that each individual filing  
32 a claim for benefits provide correct answers to  
33 randomized questions relating to the individual's  
34 identity.

35 b. A process to prevent an individual who is  
36 ineligible for benefits due to the individual's  
37 incarceration in a jail, prison, or other correctional  
38 institution or facility from filing a claim for  
39 benefits or receiving benefits. The department shall  
40 coordinate the administration of this process with  
41 the department of corrections and federal, state,  
42 and local law enforcement agencies. The department  
43 of corrections and state and local law enforcement  
44 agencies shall cooperate with the department in the  
45 administration of this process.

46 2. The department may utilize one or more requests  
47 for proposals to administer this section. The  
48 department may enter into agreements pursuant to  
49 chapter 28E to administer this section. The department  
50 shall utilize existing information technology resources

1 of state and local government to administer this  
2 section where practicable.

3 Sec. \_\_\_\_\_. IMPLEMENTATION ---- REPORT. The department  
4 of workforce development shall implement the procedures  
5 required by this division of this Act no later than  
6 June 30, 2016. The department shall submit a report  
7 on the department's progress in implementing the  
8 procedures required by this division of this Act to  
9 the general assembly by December 15, 2015. The report  
10 shall include any statutory changes necessary to  
11 facilitate the implementation of this division of this  
12 Act.

13 DIVISION \_\_\_\_\_

14 REFUND FRAUD ---- INCOME TAXES

15 Sec. \_\_\_\_\_. Section 421.17, subsection 23, Code 2015,  
16 is amended to read as follows:

17 23. To develop, modify, or contract with vendors to  
18 create or administer systems or programs which identify  
19 nonfilers of returns or nonpayers of taxes administered  
20 by the department and to identify and prevent the  
21 issuance of fraudulent or erroneous refunds. Fees  
22 for services, reimbursements, costs incurred by the  
23 department, or other remuneration may be funded from  
24 the amount of tax, penalty, or interest actually  
25 collected and shall be paid only after the amount is  
26 collected. An amount is appropriated from the amount  
27 of tax, penalty, and interest actually collected, not  
28 to exceed the amount collected, which is sufficient  
29 to pay for services, reimbursement, costs incurred by  
30 the department, or other remuneration pursuant to this  
31 subsection. Vendors entering into a contract with the  
32 department pursuant to this subsection are subject to  
33 the requirements and penalties of the confidentiality  
34 laws of this state regarding tax information. The  
35 director shall report annually to the legislative  
36 services agency and the chairpersons and ranking  
37 members of the ways and means committees on the amount  
38 of costs incurred and paid during the previous fiscal  
39 year pursuant to this subsection and the incidence  
40 of refund fraud and the costs incurred and amounts  
41 prevented from issuance during the previous fiscal year  
42 pursuant to this subsection.

43 Sec. \_\_\_\_\_. IMPLEMENTATION ---- REPORT. The director  
44 of revenue shall implement the procedures required  
45 by this division of this Act no later than January  
46 1, 2016. The director shall submit a report on the  
47 director's progress in implementing the procedures  
48 required by this division of this Act to the general  
49 assembly by October 3, 2016. The report shall include  
50 any statutory changes necessary to facilitate the

1 implementation of this division of this Act.

2 DIVISION \_\_\_\_\_

3 ELIGIBILITY VERIFICATION ---- MEDICAID

4 Sec. \_\_\_\_\_. MEDICAID PROGRAM ---- ELIGIBILITY

5 VERIFICATION SYSTEM. The department of human services  
6 shall ensure during the fiscal year beginning July  
7 1, 2015, that the department's Medicaid program  
8 eligibility system, the eligibility integrated  
9 application solution (ELIAS), is capable of accurately  
10 verifying the identity of individuals for the purposes  
11 of initial eligibility and redetermination of  
12 eligibility for the Medicaid program. The department  
13 shall submit a report on the department's progress  
14 in implementing this section to the general assembly  
15 by December 15, 2015. The report shall include  
16 any statutory changes necessary to facilitate the  
17 implementation of this section.

18 DIVISION \_\_\_\_\_

19 EXEMPTION FROM FRANCHISE FEES ---- STATE AGENCIES

20 Sec. \_\_\_\_\_. Section 364.2, subsection 4, paragraph  
21 f, subparagraph (2), Code 2015, is amended to read as  
22 follows:

23 (2) Franchise fees collected pursuant to an  
24 ordinance in effect on May 26, 2009, shall be deposited  
25 in the city's general fund and such fees collected in  
26 excess of the amounts necessary to inspect, supervise,  
27 and otherwise regulate the franchise may be used by  
28 the city for any other purpose authorized by law.  
29 Franchise fees collected pursuant to an ordinance  
30 that is adopted or amended on or after May 26, 2009,  
31 to increase the percentage rate at which franchise  
32 fees are assessed shall be credited to the franchise  
33 fee account within the city's general fund and used  
34 pursuant to section 384.3A. ~~If a city franchise fee~~  
35 ~~is assessed to customers of a franchise, the fee shall~~  
36 ~~not be assessed to the city as a customer.~~ Before a  
37 city adopts or amends a franchise fee rate ordinance  
38 or franchise ordinance to increase the percentage  
39 rate at which franchise fees are assessed, a revenue  
40 purpose statement shall be prepared specifying the  
41 purpose or purposes for which the revenue collected  
42 from the increased rate will be expended. If property  
43 tax relief is listed as a purpose, the revenue purpose  
44 statement shall also include information regarding the  
45 amount of the property tax relief to be provided with  
46 revenue collected from the increased rate. The revenue  
47 purpose statement shall be published as provided in  
48 section 362.3.

49 Sec. \_\_\_\_\_. Section 364.2, subsection 4, paragraph  
50 f, Code 2015, is amended by adding the following new

1 subparagraph:

2 NEW SUBPARAGRAPH. (4) (a) If a city franchise  
3 fee is assessed to customers of a franchise or if a  
4 franchise fee or substantially similar fee is assessed  
5 by the franchisee to customers of the franchise for the  
6 payment of a franchise fee assessed by the city to the  
7 franchisee, the fee shall not be assessed to the city  
8 or to a state agency as a customer.

9 (b) For purposes of this subparagraph, "state  
10 agency" means any executive, judicial, or legislative  
11 department, commission, board, institution, division,  
12 bureau, office, agency, or other entity of state  
13 government.

14 Sec. \_\_\_\_\_. APPLICABILITY. This division of this  
15 Act applies to franchise fees assessed by a city to  
16 a customer on or after July 1, 2015, pursuant to an  
17 ordinance adopted before, on, or after that date.  
18 This division of this Act also applies to franchise  
19 fees or other substantially similar fees assessed  
20 by a franchisee to a customer on or after July 1,  
21 2015, to pay a franchise fee assessed by the city to  
22 the franchisee pursuant to an ordinance or franchise  
23 agreement adopted before, on, or after July 1, 2015.

24 DIVISION \_\_\_\_\_

25 PAYMENTS IN LIEU OF TAXES AGREEMENTS

26 Sec. \_\_\_\_\_. NEW SECTION. 262.9D Agreements for  
27 payments in lieu of taxes.

28 1. For purposes of this section:

29 a. "Payments in lieu of taxes" are payments made  
30 as a substitute for property taxes not levied on real  
31 property as a result of a property tax exemption, which  
32 payments are made by an institution under the control  
33 of the board to a political subdivision in which the  
34 institution is located pursuant to an agreement entered  
35 into by the board or an institution under the control  
36 of the board and the political subdivision. Payments  
37 in lieu of taxes are not payments made in accordance  
38 with a contract for services under section 364.19 or  
39 other service agreements authorized in statute.

40 b. "Political subdivision" means a city, county,  
41 school district, or any other public body or  
42 corporation of this state that has power to levy  
43 or certify a tax or sum of money to be collected by  
44 taxation or otherwise derives funds from a property tax  
45 levied against taxable property situated within the  
46 political subdivision.

47 2. Any agreement providing for payments in lieu of  
48 taxes between the board or an institution under the  
49 control of the board and a political subdivision shall  
50 be approved by the board at a regular meeting in open

1 session prior to the execution of such an agreement.  
2 A request for board approval of an agreement for  
3 payments in lieu of taxes shall include a detailed  
4 explanation of the need for the agreement, the manner  
5 in which payments are calculated, and concurrence from  
6 the appropriate local assessor as to the assessment  
7 calculation for establishing the amount of each payment  
8 under the agreement. The agreement shall also include  
9 a termination date for the agreement and shall ensure,  
10 to the extent permitted by law, that the payments made  
11 under the agreement are apportioned in the same manner  
12 as property taxes are apportioned among the political  
13 subdivisions in which the property is located.

14 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
15 applies to any agreement for payments in lieu of taxes  
16 entered into on or after July 1, 2015.>

17 12. By renumbering, redesignating, and correcting  
18 internal references as necessary.

**By** RIZER of Linn

SENATE FILE 510

H-1371

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, after line 4 by inserting:

5 <DIVISION \_\_\_\_\_  
6 ONLINE LEARNING PROGRAMS

7 Sec. \_\_\_\_\_. Section 256.7, subsection 32, paragraph  
8 c, Code 2015, is amended to read as follows:

9 c. Adopt rules that limit the statewide enrollment  
10 of pupils in educational instruction and course content  
11 that are delivered primarily over the internet to not  
12 more than eighteen one-hundredths of one percent of  
13 the statewide enrollment of all pupils, and that limit  
14 the number of pupils participating in open enrollment  
15 for purposes of receiving educational instruction  
16 and course content that are delivered primarily over  
17 the internet to no more than one percent of a sending  
18 district's enrollment. Until June 30, ~~2015~~ 2017,  
19 students shall not apply if the limitations would  
20 prevent siblings from enrolling in the same school  
21 district or if a sending district determines that  
22 the educational needs of a physically or emotionally  
23 fragile student would be best served by educational  
24 instruction and course content that are delivered  
25 primarily over the internet. Students who meet the  
26 requirements of section 282.18 may participate in open  
27 enrollment under this paragraph "c" for purposes of  
28 enrolling only in the CAM community school district or  
29 the Clayton Ridge community school district.

30 (01) The department, in collaboration with the  
31 international association for K-12 online learning,  
32 shall annually collect data on student performance in  
33 educational instruction and course content that are  
34 delivered primarily over the internet pursuant to this  
35 paragraph "c". The department shall include such data  
36 in its annual report to the general assembly pursuant  
37 to subparagraph (3) and shall post the data on the  
38 department's internet site.

39 (1) School districts providing educational  
40 instruction and course content that are delivered  
41 primarily over the internet pursuant to this paragraph  
42 "c" shall annually submit to the department, in the  
43 manner prescribed by the department, data that includes  
44 but is not limited to ~~student~~ the following:

45 (a) Student achievement and demographic  
46 characteristics, ~~retention.~~

47 (b) Retention rates, ~~and the.~~

48 (c) The percentage of enrolled students' active  
49 participation in extracurricular activities.

50 (d) Academic proficiency levels, consistent with

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1 requirements applicable to all school districts and  
2 accredited nonpublic schools in this state.

3 (e) Academic growth measures, which shall include  
4 either of the following:

5 (i) Entry and exit assessments in, at a minimum,  
6 math and English for elementary and middle school  
7 students, and additional subjects, including science,  
8 for high school students.

9 (ii) State-required assessments that track  
10 year-over-year improvements in academic proficiency.

11 (f) Academic mobility. To facilitate the tracking  
12 of academic mobility, school districts shall request  
13 the following information from the parent or guardian  
14 of a student enrolled in educational instruction and  
15 course content that are delivered primarily over the  
16 internet pursuant to this paragraph "c":

17 (i) For a student newly enrolling, the reasons for  
18 choosing such enrollment.

19 (ii) For a student terminating enrollment, the  
20 reasons for terminating such enrollment.

21 (g) Student progress toward graduation.  
22 Measurement of such progress shall account for specific  
23 characteristics of each enrolled student, including  
24 but not limited to age and course credit accrued prior  
25 to enrollment in educational instruction and course  
26 content that are delivered primarily over the internet  
27 pursuant to this paragraph "c", and shall be consistent  
28 with evidence-based best practices.

29 (2) The department shall conduct annually a survey  
30 of not less than ten percent of the total number of  
31 students enrolled as authorized under this paragraph  
32 "c" and section 282.18, and not less than one hundred  
33 percent of the students in those districts who are  
34 enrolled as authorized under this paragraph "c" and  
35 section 282.18 and who are eligible for free or reduced  
36 price meals under the federal National School Lunch  
37 Act and the federal Child Nutrition Act of 1966, 42  
38 U.S.C. §§ 1751-1785, to determine whether students are  
39 enrolled under this paragraph "c" and section 282.18  
40 to receive educational instruction and course content  
41 primarily over the internet or are students who are  
42 receiving competent private instruction from a licensed  
43 practitioner provided through a school district  
44 pursuant to chapter 299A.

45 (3) The department shall compile and review the  
46 data collected pursuant to this paragraph "c" and  
47 shall submit its findings and recommendations for the  
48 continued delivery of instruction and course content by  
49 school districts pursuant to this paragraph "c", in a  
50 report to the general assembly by January 15 annually.



7 (a) Monitoring and verifying full-time student  
8 enrollment, timely completion of graduation  
9 requirements, course credit accrual, and course  
10 completion.

15 (c) Conducting parent-teacher conferences.

DIVISION

21       Sec. \_\_\_\_\_. Section 279.50, subsections 3 and 5, Code  
22 2015, are amended to read as follows:

30 5. A pupil shall not be required to take  
31 instruction in human growth and development if the  
32 pupil's parent or guardian files with the appropriate  
33 principal a written request that the pupil be excused  
34 from the instruction. Except with the written consent  
35 of a pupil's parent or guardian, which shall be filed  
36 with the appropriate school principal, a pupil shall  
37 not be required to take instruction in human growth and  
38 development nor attend an educational conference or  
39 seminar. Notification that the written request may be  
40 made shall be included in the information provided by  
41 the school district.

43 HEALTH CARRIER DISCLOSURES

46 1. A carrier that provides small group health  
47 coverage pursuant to chapter 513B or individual health  
48 coverage pursuant to chapter 513C and that offers  
49 for sale a policy, contract, or plan that covers the  
50 essential health benefits required pursuant to section

1 1302 of the federal Patient Protection and Affordable  
2 Care Act, Pub. L. No. 111-148, and its implementing  
3 regulations, shall provide to each of its enrollees  
4 at the time of enrollment, and shall make available  
5 to prospective enrollees and enrollees, insurance  
6 producers licensed under chapter 522B, and the general  
7 public, on the carrier's internet site, all of the  
8 following information in a clear and understandable  
9 form for use in comparing policies, contracts, and  
10 plans, and coverage and premiums:

11 a. Any exclusions from coverage and any  
12 restrictions on the use or quantity of covered items  
13 and services in each category of benefits, including  
14 prescription drugs and drugs administered by a  
15 physician or clinic.

16 b. Any items or services, including prescription  
17 drugs, that have a coinsurance requirement where the  
18 cost-sharing required depends on the cost of the item  
19 or service.

20 c. The specific prescription drugs available on  
21 the carrier's formulary, the specific prescription  
22 drugs covered when furnished by a physician or clinic,  
23 and any clinical prerequisites or prior authorization  
24 requirements for coverage of the drugs.

25 d. The specific types of specialists available  
26 in the carrier's network and the specific physicians  
27 included in the carrier's network.

28 e. The process for an enrollee to appeal a  
29 carrier's denial of coverage of an item or service  
30 prescribed or ordered by the enrollee's treating  
31 physician.

32 f. How medications will specifically be included  
33 in or excluded from the deductible, including a  
34 description of all out-of-pocket costs that may not  
35 apply to the deductible for a prescription drug.

36 2. The commissioner may adopt rules pursuant to  
37 chapter 17A to administer this section.

38 3. The commissioner may impose any of the sanctions  
39 provided under chapter 507B for a violation of this  
40 section.

41 Sec. \_\_\_\_\_. NEW SECTION. 514K.3 Health care plan  
42 internal appeals process ---- disclosure requirements.

43 1. A carrier that provides small group health  
44 coverage pursuant to chapter 513B or individual  
45 health coverage pursuant to chapter 513C through the  
46 issuance of nongrandfathered health plans as defined  
47 in section 1251 of the federal Patient Protection  
48 and Affordable Care Act, Pub. L. No. 111-148, and  
49 in 45 C.F.R. {147.140, shall implement and maintain  
50 procedures for carrying out an effective internal

1 claims and appeals process that meets the requirements  
2 established pursuant to section 2719 of the federal  
3 Public Health Service Act, 42 U.S.C. {300gg-19, and 45  
4 C.F.R. {147.136. The procedures shall include but are  
5 not limited to all of the following:

6 a. Expedited notification to enrollees of benefit  
7 determinations involving urgent care.

8 b. Full and fair internal review of claims and  
9 appeals.

10 c. Avoidance of conflicts of interest.

11 d. Sufficient notice to enrollees, including a  
12 description of available internal claims and appeals  
13 procedures, as well as information about how to  
14 initiate an appeal of a denial of coverage.

15 2. a. A carrier that provides health coverage  
16 as described in subsection 1 shall maintain written  
17 records of all requests for internal claims and appeals  
18 that are received and for which internal review was  
19 performed during each calendar year. Such records  
20 shall be maintained for at least three years.

21 b. A carrier that provides health coverage  
22 as described in subsection 1 shall submit to the  
23 commissioner, upon request, a report that includes all  
24 of the following:

25 (1) The total number of requests for internal  
26 review of claims and appeals that are received by the  
27 carrier each year.

28 (2) The average length of time for resolution of  
29 each request for internal review of a claim or appeal.

30 (3) A summary of the types of coverage or cases  
31 for which internal review of a claim or appeal was  
32 requested.

33 (4) Any other information required by the  
34 commissioner in a format specified by rule.

35 3. A carrier that provides health coverage as  
36 described in subsection 1 shall make available to  
37 consumers written notice of the carrier's internal  
38 claims and appeals and internal review procedures  
39 and shall maintain a toll-free consumer-assistance  
40 telephone helpline that offers consumers assistance  
41 with the carrier's internal claims and appeals and  
42 internal review procedures, including how to initiate,  
43 complete, or submit a claim or appeal.

44 4. The commissioner may adopt rules pursuant to  
45 chapter 17A to administer this section.

46 Sec. \_\_\_\_\_. APPLICABILITY. This division of this Act  
47 is applicable to health insurance policies, contracts,  
48 or plans that are delivered, issued for delivery,  
49 continued, or renewed on or after January 1, 2016.

50 DIVISION \_\_\_\_

HOUSING ENTERPRISE TAX CREDIT

Sec. \_\_\_\_\_. 2014 Iowa Acts, chapter 1130, is amended by adding the following new section:

NEW SECTION. SEC. 41A. Notwithstanding the section of this Act repealing section 15E.193B, the economic development authority may enter into an agreement and issue housing enterprise tax credits to a housing business if all the following conditions are met:

1. The city or county in which the enterprise zone is located mailed, or caused to be mailed, the necessary program application forms on or after June 1, 2014, and prior to July 1, 2014, but the applications were not received by the economic development authority. The economic development authority may accept an affidavit by a city to confirm timely mailing of the application forms, notwithstanding section 622.105.

2. The application forms submitted pursuant to subsection 1 were approved by all necessary governing bodies and commissions of the city or county as required by chapter 15E, division XVIII, Code 2014.

3. The economic development authority determines the housing business would otherwise be eligible under section 15E.193B, Code 2014.

4. The city or county and the eligible housing business meet all other requirements of the housing enterprise tax credit program under chapter 15E, division XVIII, Code 2014, and the agreement to be entered into pursuant to this section.

Sec. \_\_\_\_\_. 2014 Iowa Acts, chapter 1130, section 43, subsection 1, is amended to read as follows:

1. On or after the effective date of this division of this Act, a city or county shall not create an enterprise zone under chapter 15E, division XVIII, or enter into a new agreement or amend an existing agreement under chapter 15E, division XVIII, unless otherwise authorized in this Act.

Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2014.

DIVISION \_\_\_\_

ELIGIBILITY VERIFICATION ---- UNEMPLOYMENT INSURANCE

Sec. \_\_\_\_\_. NEW SECTION. 96.55 Eligibility verification procedures.

1. The department shall establish procedures to accurately verify the eligibility to receive benefits of each individual filing a claim for benefits in order to prevent payment of fraudulent or erroneous benefits.

1 The procedures shall include but not be limited to the  
2 following components:

3 a. A requirement that each individual filing  
4 a claim for benefits provide correct answers to  
5 randomized questions relating to the individual's  
6 identity.

7 b. A process to prevent an individual who is  
8 ineligible for benefits due to the individual's  
9 incarceration in a jail, prison, or other correctional  
10 institution or facility from filing a claim for  
11 benefits or receiving benefits. The department shall  
12 coordinate the administration of this process with  
13 the department of corrections and federal, state,  
14 and local law enforcement agencies. The department  
15 of corrections and state and local law enforcement  
16 agencies shall cooperate with the department in the  
17 administration of this process.

18 2. The department may utilize one or more requests  
19 for proposals to administer this section. The  
20 department may enter into agreements pursuant to  
21 chapter 28E to administer this section. The department  
22 shall utilize existing information technology resources  
23 of state and local government to administer this  
24 section where practicable.

25 Sec. \_\_\_\_\_. IMPLEMENTATION ---- REPORT. The department  
26 of workforce development shall implement the procedures  
27 required by this division of this Act no later than  
28 June 30, 2016. The department shall submit a report  
29 on the department's progress in implementing the  
30 procedures required by this division of this Act to  
31 the general assembly by December 15, 2015. The report  
32 shall include any statutory changes necessary to  
33 facilitate the implementation of this division of this  
34 Act.

35 DIVISION \_\_\_\_\_  
36 REFUND FRAUD ---- INCOME TAXES

37 Sec. \_\_\_\_\_. Section 421.17, subsection 23, Code 2015,  
38 is amended to read as follows:

39 23. To develop, modify, or contract with vendors to  
40 create or administer systems or programs which identify  
41 nonfilers of returns or nonpayers of taxes administered  
42 by the department and to identify and prevent the  
43 issuance of fraudulent or erroneous refunds. Fees  
44 for services, reimbursements, costs incurred by the  
45 department, or other remuneration may be funded from  
46 the amount of tax, penalty, or interest actually  
47 collected and shall be paid only after the amount is  
48 collected. An amount is appropriated from the amount  
49 of tax, penalty, and interest actually collected, not  
50 to exceed the amount collected, which is sufficient

1 to pay for services, reimbursement, costs incurred by  
2 the department, or other remuneration pursuant to this  
3 subsection. Vendors entering into a contract with the  
4 department pursuant to this subsection are subject to  
5 the requirements and penalties of the confidentiality  
6 laws of this state regarding tax information. The  
7 director shall report annually to the legislative  
8 services agency and the chairpersons and ranking  
9 members of the ways and means committees on the amount  
10 of costs incurred and paid during the previous fiscal  
11 year pursuant to this subsection and the incidence  
12 of refund fraud and the costs incurred and amounts  
13 prevented from issuance during the previous fiscal year  
14 pursuant to this subsection.

15 Sec. \_\_\_\_\_. IMPLEMENTATION ---- REPORT. The director  
16 of revenue shall implement the procedures required  
17 by this division of this Act no later than January  
18 1, 2016. The director shall submit a report on the  
19 director's progress in implementing the procedures  
20 required by this division of this Act to the general  
21 assembly by October 3, 2016. The report shall include  
22 any statutory changes necessary to facilitate the  
23 implementation of this division of this Act.

24 DIVISION \_\_\_\_\_  
25 ELIGIBILITY VERIFICATION ---- MEDICAID  
26 Sec. \_\_\_\_\_. MEDICAID PROGRAM ---- ELIGIBILITY  
27 VERIFICATION SYSTEM. The department of human services  
28 shall ensure during the fiscal year beginning July  
29 1, 2015, that the department's Medicaid program  
30 eligibility system, the eligibility integrated  
31 application solution (ELIAS), is capable of accurately  
32 verifying the identity of individuals for the purposes  
33 of initial eligibility and redetermination of  
34 eligibility for the Medicaid program. The department  
35 shall submit a report on the department's progress  
36 in implementing this section to the general assembly  
37 by December 15, 2015. The report shall include  
38 any statutory changes necessary to facilitate the  
39 implementation of this section.>

40 2. By renumbering as necessary.

<b>By</b> HALL of Woodbury	MASCHER of Johnson
ABDUL-SAMAD of Polk	McCONKEY of Pottawattamie
BENNETT of Linn	H. MILLER of Webster
BERRY of Black Hawk	OLDSON of Polk
BROWN-POWERS of Black Hawk	OURTH of Warren
DUNKEL of Dubuque	PRICHARD of Floyd
FORBES of Polk	RUNNING-MARQUARDT of Linn
GAINES of Polk	SMITH of Marshall
GASKILL of Wapello	STAED of Linn
HANSON of Jefferson	STUTSMAN of Johnson
HUNTER of Polk	T. TAYLOR of Linn
KEARNS of Lee	THEDE of Scott
KELLEY of Jasper	WESSEL-KROESCHELL of Story
LENSING of Johnson	WINCKLER of Scott

SENATE FILE 510

H-1372

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, after line 31 by inserting:

5 <DIVISION \_\_\_\_\_  
6 HUMANITARIAN RELIEF  
7 Sec. \_\_\_\_\_. DEPARTMENT OF MANAGEMENT.

8 1. There is appropriated from the general fund  
9 of the state to the department of management for the  
10 fiscal year beginning July 1, 2014, and ending June 30,  
11 2015, the following amount, or so much thereof as is  
12 necessary, to be used for the purposes designated:

13 For distribution to one or more community  
14 foundations, to match private cash contributions  
15 made through Iowa-based community foundations to  
16 United States-based nonprofit organizations providing  
17 humanitarian relief or rebuilding assistance in  
18 response to a national or international natural  
19 disaster:

20 ..... \$ 2,000,000

21 Notwithstanding section 8.33, moneys appropriated in  
22 this section that remain unencumbered or unobligated  
23 at the close of the fiscal year shall not revert but  
24 shall remain available for expenditure for the purposes  
25 designated until the close of the succeeding fiscal  
26 year.

27 2. Moneys shall be distributed if authorized  
28 by executive order of the governor after approval  
29 by resolution of the executive council and with  
30 notification to the general assembly and the  
31 legislative services agency. The resolution and  
32 executive order shall specify the total amount that  
33 shall be distributed, the location of the disaster  
34 to be addressed and the limitations, if any, on the  
35 organizations that may receive funding or the nature  
36 of assistance to be provided with matched moneys.  
37 A single resolution shall not authorize more than  
38 \$1,000,000 in matching moneys. Moneys authorized  
39 for distribution shall be paid by the department  
40 of management to one or more Iowa-based community  
41 foundations after documentation is received by the  
42 department showing charitable contributions made by  
43 persons in Iowa on a dollar-for-dollar basis, with  
44 100 percent of both private and state dollars to be  
45 delivered to one or more bona fide United States-based  
46 nonprofit organizations providing humanitarian relief  
47 or rebuilding assistance in response to a national or  
48 international natural disaster.

49 3. Moneys authorized for expenditure shall remain  
50 available until expended or until the resolution

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H-1372

Page 2

1 authorizing the expenditures is rescinded by the  
2 executive council.>

3 2. By renumbering as necessary.

**By** ISENHART of Dubuque

H-1372 FILED MAY 20, 2015

SENATE FILE 510

H-1373

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, after line 31 by inserting:

5 <DIVISION \_\_\_\_\_

6 UNIFORM INTERSTATE FAMILY SUPPORT ACT

7 Sec. \_\_\_\_\_. NEW SECTION. 252K.100 Title.

8 This chapter shall be known and may be cited as the  
9 "Uniform Interstate Family Support Act".

10 Sec. \_\_\_\_\_. Section 252K.101, Code 2015, is amended  
11 to read as follows:

12 252K.101 Definitions.

13 In this chapter:

14 1. "Child" means an individual, whether over or  
15 under the age of majority, who is or is alleged to be  
16 owed a duty of support by the individual's parent or  
17 who is or is alleged to be the beneficiary of a support  
18 order directed to the parent.

19 2. "Child support order" means a support order for  
20 a child, including a child who has attained the age of  
21 majority under the law of the issuing state or foreign  
22 country.

23 3. "Convention" means the convention on the  
24 international recovery of child support and other  
25 forms of family maintenance, concluded at the Hague on  
26 November 23, 2007.

27 ~~3.~~ 4. "Duty of support" means an obligation  
28 imposed or imposable by law to provide support for  
29 a child, spouse, or former spouse, including an  
30 unsatisfied obligation to provide support.

31 5. "Foreign country" means a country, including a  
32 political subdivision thereof, other than the United  
33 States, that authorizes the issuance of support orders  
34 and which meets any of the following conditions:

35 a. Has been declared under the law of the United  
36 States to be a foreign reciprocating country.

37 b. Has established a reciprocal arrangement for  
38 child support with this state as provided in section  
39 252K.308.

40 c. Has enacted a law or established procedures for  
41 the issuance and enforcement of support orders which  
42 are substantially similar to the procedures under this  
43 chapter.

44 d. In which the convention is in force with respect  
45 to the United States.

46 6. "Foreign support order" means a support order of  
47 a foreign tribunal.

48 7. "Foreign tribunal" means a court, administrative  
49 agency, or quasi-judicial entity of a foreign country  
50 which is authorized to establish, enforce, or modify

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1 support orders or to determine parentage of a child.  
2 The term includes a competent authority under the  
3 convention.

4 ~~4.~~ 8. "Home state" means the state or foreign  
5 country in which a child lived with a parent or a  
6 person acting as parent for at least six consecutive  
7 months immediately preceding the time of filing of a  
8 petition or comparable pleading for support and, if a  
9 child is less than six months old, the state or foreign  
10 country in which the child lived from birth with any of  
11 them. A period of temporary absence of any of them is  
12 counted as part of the six-month or other period.

13 ~~5.~~ 9. "Income" includes earnings or other periodic  
14 entitlements to money from any source and any other  
15 property subject to withholding for support under the  
16 law of this state.

17 ~~6.~~ 10. "Income withholding order" means an order or  
18 other legal process directed to an obligor's employer  
19 or other payor of income, as defined by the income  
20 withholding law of this state, to withhold support from  
21 the income of the obligor.

22 ~~7.~~ "Initiating state" means a state from which a  
23 proceeding is forwarded or in which a proceeding is  
24 filed for forwarding to a responding state under this  
25 chapter or a law or procedure substantially similar  
26 to this chapter, the Uniform Reciprocal Enforcement  
27 of Support Act, or the Revised Uniform Reciprocal  
28 Enforcement of Support Act.

29 ~~8.~~ 11. "Initiating tribunal" means the authorized  
30 tribunal in an initiating of a state or foreign  
31 country from which a petition or comparable pleading is  
32 forwarded or in which a petition or comparable pleading  
33 is filed or forwarded to another state or foreign  
34 country.

35 12. "Issuing foreign country" means the foreign  
36 country in which a tribunal issues a support order or a  
37 judgment determining parentage of a child.

38 ~~9.~~ 13. "Issuing state" means the state in which a  
39 tribunal issues a support order or ~~renders~~ a judgment  
40 determining parentage of a child.

41 ~~10.~~ 14. "Issuing tribunal" means the tribunal of a  
42 state or foreign country that issues a support order or  
43 ~~renders~~ a judgment determining parentage of a child.

44 ~~11.~~ 15. "Law" includes decisional and statutory  
45 law and rules and regulations having the force of law.

46 ~~12.~~ 16. "Obligee" means any of the following:

47 a. An individual to whom a duty of support is or is  
48 alleged to be owed or in whose favor a support order  
49 ~~has been issued~~ or a judgment determining parentage of  
50 a child has been rendered issued.

1 b. A foreign country, state or political  
2 subdivision of a state to which the rights under a duty  
3 of support or support order have been assigned or which  
4 has independent claims based on financial assistance  
5 provided to an individual obligee in place of child  
6 support.

7 c. An individual seeking a judgment determining  
8 parentage of the individual's child.

9 d. A person that is a creditor in a proceeding  
10 under Article 7.

11 ~~13.~~ 17. "Obligor" means an individual, or the  
12 estate of a decedent, to which any of the following  
13 applies:

14 a. Who owes or is alleged to owe a duty of support.

15 b. Who is alleged but has not been adjudicated to  
16 be a parent of a child.

17 c. Who is liable under a support order.

18 d. Who is a debtor in a proceeding under Article 7.

19 18. "Outside this state" means a location in another  
20 state or a country other than the United States,  
21 whether or not the country is a foreign country.

22 19. "Person" means an individual, corporation,  
23 business trust, estate, trust, partnership, limited  
24 liability company, association, joint venture, public  
25 corporation, government or governmental subdivision,  
26 agency, or instrumentality, or any other legal or  
27 commercial entity.

28 20. "Record" means information that is inscribed on  
29 a tangible medium or that is stored in an electronic or  
30 other medium and is retrievable in perceivable form.

31 ~~14.~~ 21. "Register" means to file in a tribunal  
32 of this state a support order or judgment determining  
33 parentage of a child issued in the appropriate location  
34 for the filing of foreign judgments another state or  
35 foreign country.

36 ~~15.~~ 22. "Registering tribunal" means a tribunal in  
37 which a support order or judgment determining parentage  
38 of a child is registered.

39 ~~16.~~ 23. "Responding state" means a state in which a  
40 proceeding petition or comparable pleading for support  
41 or to determine parentage of a child is filed or to  
42 which a proceeding petition or comparable pleading is  
43 forwarded for filing from an initiating another state  
44 under this chapter or a law or procedure substantially  
45 similar to this chapter, the Uniform Reciprocal  
46 Enforcement of Support Act, or the Revised Uniform  
47 Reciprocal Enforcement of Support Act or foreign  
48 country.

49 ~~17.~~ 24. "Responding tribunal" means the authorized  
50 tribunal in a responding state or foreign country.

1 ~~18.~~ 25. "Spousal support order" means a support  
2 order for a spouse or former spouse of the obligor.

3 ~~19.~~ 26. "State" means a state of the United  
4 States, the District of Columbia, Puerto Rico, the  
5 United States Virgin Islands, or any territory or  
6 insular possession ~~subject to~~ under the jurisdiction of  
7 the United States. The term includes:

8 a. ~~An~~ an Indian nation or tribe.

9 b. ~~A foreign jurisdiction that has enacted a law or~~  
10 ~~established procedures for issuance and enforcement of~~  
11 ~~support orders which are substantially similar to the~~  
12 ~~procedures under this chapter, the Uniform Reciprocal~~  
13 ~~Enforcement of Support Act, or the Revised Uniform~~  
14 ~~Reciprocal Enforcement of Support Act.~~

15 ~~20.~~ 27. "Support enforcement agency" means a  
16 public official, government entity, or private agency  
17 authorized to ~~seek~~ do any of the following:

18 a. ~~Enforcement~~ Seek enforcement of support orders  
19 or laws relating to the duty of support.

20 b. ~~Establishment~~ Seek establishment or modification  
21 of child support.

22 c. ~~Determination~~ Request determination of parentage  
23 of a child.

24 d. ~~Location of~~ Attempt to locate obligors or their  
25 assets.

26 e. Request determination of the controlling child  
27 support order.

28 ~~21.~~ 28. "Support order" means a judgment, decree,  
29 ~~or~~ order, decision, or directive, whether temporary,  
30 final, or subject to modification, issued in a state  
31 or foreign country for the benefit of a child, a  
32 spouse, or a former spouse, which provides for monetary  
33 support, health care, arrearages, retroactive support,  
34 or reimbursement, ~~and~~ for financial assistance provided  
35 to an individual obligee in place of child support.  
36 The term may include related costs and fees, interest,  
37 income withholding, automatic adjustment, reasonable  
38 attorney's fees, and other relief.

39 ~~22.~~ 29. "Tribunal" means a court, administrative  
40 agency, or quasi-judicial entity authorized to  
41 establish, enforce, or modify support orders or to  
42 determine parentage of a child.

43 Sec. \_\_\_\_\_. Section 252K.102, Code 2015, is amended  
44 to read as follows:

45 252K.102 ~~Tribunals of this state~~ State tribunal and  
46 support enforcement agency.

47 1. The child support recovery unit when the unit  
48 establishes or modifies an order, upon ratification by  
49 the court, and the court, are the tribunals of this  
50 state.

1     2. The child support recovery unit is the support  
2 enforcement agency of this state.

3     Sec. \_\_\_\_\_. Section 252K.103, Code 2015, is amended  
4 to read as follows:

5     252K.103 Remedies cumulative.

6     1. Remedies provided by this chapter are cumulative  
7 and do not affect the availability of remedies under  
8 other law or the recognition of a foreign support order  
9 on the basis of comity.

10    2. This chapter does not do either of the  
11 following:

12    a. Provide the exclusive method of establishing or  
13 enforcing a support order under the law of this state.

14    b. Grant a tribunal of this state jurisdiction to  
15 render judgment or issue an order relating to child  
16 custody or visitation in a proceeding under this  
17 chapter.

18    Sec. \_\_\_\_\_. NEW SECTION. 252K.104 Application of  
19 chapter to resident of foreign country and foreign  
20 support proceeding.

21    1. A tribunal of this state shall apply Articles 1  
22 through 6 and, as applicable, Article 7, to a support  
23 proceeding involving any of the following:

24    a. A foreign support order.

25    b. A foreign tribunal.

26    c. An obligee, obligor, or child residing in a  
27 foreign country.

28    2. A tribunal of this state that is requested to  
29 recognize and enforce a support order on the basis  
30 of comity may apply the procedural and substantive  
31 provisions of Articles 1 through 6.

32    3. Article 7 applies only to a support proceeding  
33 under the convention. In such a proceeding, if a  
34 provision of Article 7 is inconsistent with Articles 1  
35 through 6, Article 7 controls.

36    Sec. \_\_\_\_\_. Section 252K.201, Code 2015, is amended  
37 to read as follows:

38    252K.201 Bases for jurisdiction over nonresident.

39    1. In a proceeding to establish, or enforce, or  
40 modify a support order or to determine parentage of a  
41 child, a tribunal of this state may exercise personal  
42 jurisdiction over a nonresident individual or the  
43 individual's guardian or conservator if any of the  
44 following applies:

45    1. a. The individual is personally served with  
46 notice within this state.

47    2. b. The individual submits to the jurisdiction  
48 of this state by consent in a record, by entering a  
49 general appearance, or by filing a responsive document  
50 having the effect of waiving any contest to personal

1 jurisdiction.

2 ~~3. c.~~ The individual resided with the child in  
3 this state.

4 ~~4. d.~~ The individual resided in this state and  
5 provided prenatal expenses or support for the child.

6 ~~5. e.~~ The child resides in this state as a result  
7 of the acts or directives of the individual.

8 ~~6. f.~~ The individual engaged in sexual intercourse  
9 in this state and the child may have been conceived by  
10 that act of intercourse.

11 ~~7. g.~~ The individual asserted parentage of a child  
12 in the declaration of paternity registry maintained  
13 in this state by the Iowa department of public health  
14 pursuant to section 144.12A or established paternity by  
15 affidavit under section 252A.3A.

16 ~~8. h.~~ There is any other basis consistent with the  
17 constitutions of this state and the United States for  
18 the exercise of personal jurisdiction.

19 2. The bases of personal jurisdiction set forth  
20 in subsection 1 or in any other law of this state may  
21 not be used to acquire personal jurisdiction for a  
22 tribunal of this state to modify a child support order  
23 of another state unless the requirements of section  
24 252K.611 are met, or, in the case of a foreign support  
25 order, unless the requirements of section 252K.615 are  
26 met.

27 Sec. \_\_\_\_\_. Section 252K.202, Code 2015, is amended  
28 to read as follows:

29 252K.202 ~~Procedure when exercising~~ Duration of  
30 personal jurisdiction over nonresident.

31 A Personal jurisdiction acquired by a tribunal  
32 of this state exercising personal jurisdiction  
33 over a nonresident under section 252K.201 may apply  
34 section 252K.316 to receive evidence from another  
35 in a proceeding under this chapter or other law of  
36 this state, and section 252K.318 to obtain discovery  
37 through relating to a support order continues as long  
38 as a tribunal of another this state has continuing,  
39 exclusive jurisdiction to modify its order or  
40 continuing jurisdiction to enforce its order as  
41 provided in sections 252K.205, 252K.206, and 252K.211.  
42 ~~In all other respects, articles 3 through 7 do not~~  
43 ~~apply and the tribunal shall apply the procedural and~~  
44 ~~substantive law of this state, including the rules on~~  
45 ~~choice of law other than those established by this~~  
46 ~~chapter.~~

47 Sec. \_\_\_\_\_. Section 252K.203, Code 2015, is amended  
48 to read as follows:

49 252K.203 Initiating and responding tribunal of this  
50 state.



1 Under this chapter, a tribunal of this state may  
2 serve as an initiating tribunal to forward proceedings  
3 to a tribunal of another state, and as a responding  
4 tribunal for proceedings initiated in another state or  
5 foreign country.

6 Sec. \_\_\_\_\_. Section 252K.204, Code 2015, is amended  
7 to read as follows:

8 252K.204 Simultaneous proceedings ~~in another state.~~

9 1. A tribunal of this state may exercise  
10 jurisdiction to establish a support order if the  
11 petition or comparable pleading is filed after a  
12 pleading is filed in another state or a foreign country  
13 only if all of the following apply:

14 a. The petition or comparable pleading in this  
15 state is filed before the expiration of the time  
16 allowed in the other state or the foreign country for  
17 filing a responsive pleading challenging the exercise  
18 of jurisdiction by the other state or the foreign  
19 country.

20 b. The contesting party timely challenges the  
21 exercise of jurisdiction in the other state or the  
22 foreign country.

23 c. If relevant, this state is the home state of the  
24 child.

25 2. A tribunal of this state may not exercise  
26 jurisdiction to establish a support order if the  
27 petition or comparable pleading is filed before a  
28 petition or comparable pleading is filed in another  
29 state or a foreign country if all of the following  
30 apply:

31 a. The petition or comparable pleading in the  
32 other state or foreign country is filed before the  
33 expiration of the time allowed in this state for filing  
34 a responsive pleading challenging the exercise of  
35 jurisdiction by this state.

36 b. The contesting party timely challenges the  
37 exercise of jurisdiction in this state.

38 c. If relevant, the other state or foreign country  
39 is the home state of the child.

40 Sec. \_\_\_\_\_. Section 252K.205, Code 2015, is amended  
41 to read as follows:

42 252K.205 Continuing, exclusive jurisdiction to  
43 modify child support order.

44 1. A tribunal of this state ~~issuing~~ that has issued  
45 a child support order consistent with the law of this  
46 state has and shall exercise continuing, exclusive  
47 jurisdiction over a to modify its child support order  
48 if the order is controlling and any of the following  
49 applies:

50 a. ~~As long as~~ At the time of the filing of a

1 request for modification this state ~~remains~~ is the  
2 residence of the obligor, the individual obligee,  
3 or the child for whose benefit the support order is  
4 issued.

5 ~~b. Until all of the parties who are individuals~~  
6 ~~have filed written consents with the tribunal of~~  
7 Even if this state ~~for a~~ is not the residence of the  
8 obligor, the individual obligee, or the child for whose  
9 benefit the order is issued, the parties consent in a  
10 record or in open court that the tribunal of ~~another~~  
11 this state may continue to exercise jurisdiction to  
12 modify the ~~its~~ order and assume continuing, exclusive  
13 jurisdiction.

14 2. A tribunal of this state issuing that has issued  
15 a child support order consistent with the law of  
16 this state may not exercise its continuing, exclusive  
17 jurisdiction to modify the order if ~~the order has been~~  
18 ~~modified by a tribunal of another state pursuant to~~  
19 ~~this chapter or a law substantially similar to this~~  
20 ~~chapter. any of the following applies:~~

21 a. All of the parties who are individuals file  
22 consent in a record with the tribunal of this state  
23 that a tribunal of another state that has jurisdiction  
24 over at least one of the parties who is an individual  
25 or that is located in the state of residence of the  
26 child may modify the order and assume continuing,  
27 exclusive jurisdiction.

28 b. Its order is not the controlling order.

29 3. ~~If a child support order of this state is~~  
30 ~~modified by a tribunal of another state~~ has issued a  
31 child support order pursuant to this chapter  
32 the uniform interstate family support Act or a law  
33 substantially similar to this chapter, that Act which  
34 modifies a child support order of a tribunal of  
35 this state ~~loses its~~, tribunals of this state shall  
36 recognize the continuing, exclusive jurisdiction with  
37 regard to prospective enforcement of the order issued  
38 in this of the tribunal of the other state, and may  
39 only:

40 a. ~~Enforce the order that was modified as to~~  
41 ~~amounts accruing before the modification.~~

42 b. ~~Enforce nonmodifiable aspects of that order.~~

43 c. ~~Provide other appropriate relief for violations~~  
44 ~~of that order which occurred before the effective date~~  
45 ~~of the modification.~~

46 4. A tribunal of this state ~~shall recognize the~~  
47 that lacks continuing, exclusive jurisdiction of a to  
48 modify a child support order may serve as an initiating  
49 tribunal of another state which has issued a child  
50 support order pursuant to request a tribunal of another

1 ~~state to modify a support order issued in this chapter~~  
2 ~~or a law substantially similar to this chapter that~~  
3 ~~state.~~

4 5. A temporary support order issued ex parte or  
5 pending resolution of a jurisdictional conflict does  
6 not create continuing, exclusive jurisdiction in the  
7 issuing tribunal.

8 ~~6. A tribunal of this state issuing a support order~~  
9 ~~consistent with the law of this state has continuing,~~  
10 ~~exclusive jurisdiction over a spousal support order~~  
11 ~~throughout the existence of the support obligation. A~~  
12 ~~tribunal of this state may not modify a spousal support~~  
13 ~~order issued by a tribunal of another state having~~  
14 ~~continuing, exclusive jurisdiction over that order~~  
15 ~~under the law of that state.~~

16 Sec. \_\_\_\_\_. Section 252K.206, Code 2015, is amended  
17 to read as follows:

18 252K.206 ~~Enforcement and modification of support~~  
19 ~~order by tribunal having continuing~~ Continuing  
20 jurisdiction to enforce child support order.

21 1. A tribunal of this state that has issued a child  
22 support order consistent with the law of this state may  
23 serve as an initiating tribunal to request a tribunal  
24 of another state to enforce ~~or modify a support order~~  
25 ~~issued in that state.~~ any of the following:

26 a. The order if the order is the controlling order  
27 and has not been modified by a tribunal of another  
28 state that assumed jurisdiction pursuant to the uniform  
29 interstate family support Act.

30 b. A money judgment for arrears of support and  
31 interest on the order accrued before a determination  
32 that an order of a tribunal of another state is the  
33 controlling order.

34 2. A tribunal of this state having continuing,  
35 ~~exclusive~~ jurisdiction over a support order may act  
36 as a responding tribunal to enforce ~~or modify~~ the  
37 order. ~~If a party subject to the continuing, exclusive~~  
38 ~~jurisdiction of the tribunal no longer resides in the~~  
39 ~~issuing state, in subsequent proceedings the tribunal~~  
40 ~~may apply section 252K.316 to receive evidence from~~  
41 ~~another state and section 252K.318 to obtain discovery~~  
42 ~~through a tribunal of another state.~~

43 ~~3. A tribunal of this state which lacks continuing,~~  
44 ~~exclusive jurisdiction over a spousal support order may~~  
45 ~~not serve as a responding tribunal to modify a spousal~~  
46 ~~support order of another state.~~

47 Sec. \_\_\_\_\_. Section 252K.207, Code 2015, is amended  
48 to read as follows:

49 252K.207 ~~Recognition~~ Determination of controlling  
50 child support order.

1 1. If a proceeding is brought under this chapter  
2 and only one tribunal has issued a child support order,  
3 the order of that tribunal controls and must be ~~so~~  
4 recognized.

5 2. If a proceeding is brought under this chapter,  
6 and two or more child support orders have been issued  
7 by tribunals of this state, ~~or~~ another state, or a  
8 foreign country with regard to the same obligor and  
9 same child, a tribunal of this state having personal  
10 jurisdiction over both the obligor and individual  
11 obligee shall apply the following rules ~~in determining~~  
12 ~~and by order shall determine which order to recognize~~  
13 ~~for purposes of continuing, exclusive jurisdiction~~  
14 controls and must be recognized:

15 a. If only one of the tribunals would have  
16 continuing, exclusive jurisdiction under this chapter,  
17 the order of that tribunal controls ~~and must be so~~  
18 ~~recognized.~~

19 b. If more than one of the tribunals would have  
20 continuing, exclusive jurisdiction under this chapter,  
21 ~~an order~~ one of the following shall apply:

22 (1) An order issued by a tribunal in the current  
23 home state of the child controls. ~~and must be so~~  
24 ~~recognized, but if~~

25 (2) If an order has not been issued in the current  
26 home state of the child, the order most recently issued  
27 controls and must be so recognized.

28 c. If none of the tribunals would have continuing,  
29 exclusive jurisdiction under this chapter, the tribunal  
30 of this state ~~having jurisdiction over the parties~~  
31 shall issue a child support order, which controls ~~and~~  
32 ~~must be so recognized.~~

33 3. If two or more child support orders have been  
34 issued for the same obligor and same child ~~and if~~  
35 ~~the obligor or the individual obligee resides in~~  
36 this state, upon request of a party may request who  
37 is an individual or that is a support enforcement  
38 agency, a tribunal of this state to having personal  
39 jurisdiction over both the obligor and the obligee who  
40 is an individual shall determine which order controls  
41 ~~and must be so recognized under subsection 2. The~~  
42 ~~request must may be accompanied by a certified copy of~~  
43 ~~every support order in effect. The requesting party~~  
44 ~~shall give notice of the request to each party whose~~  
45 ~~rights may be affected by the determination~~ filed with  
46 a registration for enforcement or registration for  
47 modification pursuant to Article 6, or may be filed as  
48 a separate proceeding.

49 4. A request to determine which is the controlling  
50 order must be accompanied by a copy of every child

1 support order in effect and the applicable record of  
2 payments. The requesting party shall give notice of  
3 the request to each party whose rights may be affected  
4 by the determination.

5 5. The tribunal that issued the controlling order  
6 under subsection 1, 2, or 3 is the tribunal that has  
7 continuing, exclusive jurisdiction under to the extent  
8 provided in section 252K.205 or 252K.206.

9 ~~5.~~ 6. A tribunal of this state which that  
10 determines by order the identity of which is the  
11 controlling order under subsection 2, paragraph "a"  
12 or "b" or subsection 3, or which that issues a new  
13 controlling order under subsection 2, paragraph "c",  
14 shall state in that order: the

15 a. The basis upon which the tribunal made its  
16 determination.

17 b. The amount of prospective support, if any.

18 c. The total amount of consolidated arrears and  
19 accrued interest, if any, under all of the orders after  
20 all payments made are credited as provided in section  
21 252K.209.

22 ~~6.~~ 7. Within thirty days after issuance of  
23 an order determining the identity of which is the  
24 controlling order, the party obtaining the order shall  
25 file a certified copy of it with in each tribunal  
26 that issued or registered an earlier order of child  
27 support. A party who obtains or support enforcement  
28 agency obtaining the order and that fails to file a  
29 certified copy is subject to appropriate sanctions by a  
30 tribunal in which the issue of failure to file arises.  
31 The failure to file does not affect the validity or  
32 enforceability of the controlling order.

33 8. An order that has been determined to be the  
34 controlling order, or a judgment for consolidated  
35 arrears of support and interest, if any, made pursuant  
36 to this section must be recognized in proceedings under  
37 this chapter.

38 Sec. \_\_\_\_. Section 252K.208, Code 2015, is amended  
39 to read as follows:

40 252K.208 ~~Multiple child~~ Child support orders for two  
41 or more obligees.

42 In responding to multiple registrations or requests  
43 for enforcement of two or more child support orders in  
44 effect at the same time with regard to the same obligor  
45 and different individual obligees, at least one of  
46 which was issued by a tribunal of another state or a  
47 foreign country, a tribunal of this state shall enforce  
48 those orders in the same manner as if the multiple  
49 orders had been issued by a tribunal of this state.

50 Sec. \_\_\_\_. Section 252K.209, Code 2015, is amended

1 to read as follows:

2 252K.209 Credit for payments.

3 ~~Amounts~~ A tribunal of this state shall credit  
4 ~~amounts~~ collected ~~and credited~~ for a particular period  
5 pursuant to a any child support order against the  
6 amounts owed for the same period under any other child  
7 support order for support of the same child issued by a  
8 tribunal of this state, another state, must be credited  
9 ~~against the amounts accruing or accrued for the same~~  
10 ~~period under a support order issued by the tribunal of~~  
11 ~~this state a foreign country.~~

12 Sec. \_\_\_\_\_. NEW SECTION. 252K.210 Application of  
13 chapter to nonresident subject to personal jurisdiction.

14 A tribunal of this state exercising personal  
15 jurisdiction over a nonresident in a proceeding under  
16 this chapter, under other law of this state relating to  
17 a support order, or recognizing a foreign support order  
18 may receive evidence from outside this state pursuant  
19 to section 252K.316, communicate with a tribunal  
20 outside this state pursuant to section 252K.317, and  
21 obtain discovery through a tribunal outside this state  
22 pursuant to section 252K.318. In all other respects,  
23 Articles 3 through 6 do not apply, and the tribunal  
24 shall apply the procedural and substantive law of this  
25 state.

26 Sec. \_\_\_\_\_. NEW SECTION. 252K.211 Continuing,  
27 exclusive jurisdiction to modify spousal support order.

28 1. A tribunal of this state issuing a spousal  
29 support order consistent with the law of this state  
30 has continuing, exclusive jurisdiction to modify the  
31 spousal support order throughout the existence of the  
32 support obligation.

33 2. A tribunal of this state may not modify a  
34 spousal support order issued by a tribunal of another  
35 state or a foreign country having continuing, exclusive  
36 jurisdiction over that order under the law of that  
37 state or foreign country.

38 3. A tribunal of this state that has continuing,  
39 exclusive jurisdiction over a spousal support order may  
40 serve as any of the following:

41 a. An initiating tribunal to request a tribunal  
42 of another state to enforce the spousal support order  
43 issued in this state.

44 b. A responding tribunal to enforce or modify its  
45 own spousal support order.

46 Sec. \_\_\_\_\_. Section 252K.301, Code 2015, is amended  
47 to read as follows:

48 252K.301 Proceedings under this chapter.

49 1. Except as otherwise provided in this chapter,  
50 this article applies to all proceedings under this

1 chapter.  
2 2. ~~This chapter provides for the following~~  
3 ~~proceedings:~~  
4 a. ~~Establishment of an order for spousal support or~~  
5 ~~child support pursuant to article 4.~~  
6 b. ~~Enforcement of a support order and income~~  
7 ~~withholding order of another state without registration~~  
8 ~~pursuant to article 5.~~  
9 c. ~~Registration of an order for spousal support or~~  
10 ~~child support of another state for enforcement pursuant~~  
11 ~~to article 6.~~  
12 d. ~~Modification of an order for child support or~~  
13 ~~spousal support issued by a tribunal of this state~~  
14 ~~pursuant to article 2, part 2.~~  
15 e. ~~Registration of an order for child support of~~  
16 ~~another state for modification pursuant to article 6.~~  
17 f. ~~Determination of parentage pursuant to article~~  
18 ~~7.~~  
19 g. ~~Assertion of jurisdiction over nonresidents~~  
20 ~~pursuant to article 2, part 1.~~  
21 3. An individual movant or a support enforcement  
22 agency may ~~commence~~ initiate a proceeding authorized  
23 under this chapter by filing a petition or a comparable  
24 pleading in an initiating tribunal for forwarding to  
25 a responding tribunal or by filing a petition or a  
26 comparable pleading directly in a tribunal of another  
27 state or a foreign country which has or can obtain  
28 personal jurisdiction over the respondent or nonmoving  
29 party.  
30 Sec. \_\_\_\_\_. Section 252K.302, Code 2015, is amended  
31 to read as follows:  
32 252K.302 ~~Action~~ Proceeding by minor parent.  
33 A minor parent, or a guardian or other legal  
34 representative of a minor parent, may maintain a  
35 proceeding on behalf of or for the benefit of the  
36 minor's child.  
37 Sec. \_\_\_\_\_. Section 252K.303, Code 2015, is amended  
38 to read as follows:  
39 252K.303 Application of law of this state.  
40 Except as otherwise provided by this chapter, a  
41 responding tribunal of this state shall do all of the  
42 following:  
43 1. Apply the procedural and substantive law,  
44 ~~including the rules on choice of law,~~ generally  
45 applicable to similar proceedings originating in this  
46 state, and may exercise all powers and provide all  
47 remedies available in those proceedings.  
48 2. Determine the duty of support and the amount  
49 payable in accordance with the law and support  
50 guidelines of this state.



1 Sec. \_\_\_\_\_. Section 252K.304, Code 2015, is amended  
2 to read as follows:

3 252K.304 Duties of initiating tribunal.

4 1. Upon the filing of a petition or comparable  
5 pleading authorized by this chapter, an initiating  
6 tribunal of this state shall forward ~~three copies~~  
7 ~~of~~ the petition or comparable pleading and its  
8 accompanying documents:

9 a. To the responding tribunal or appropriate  
10 support enforcement agency in the responding state.

11 b. If the identity of the responding tribunal  
12 is unknown, to the state information agency of the  
13 responding state with a request that they be forwarded  
14 to the appropriate tribunal and that receipt be  
15 acknowledged.

16 2. ~~If a requested by the responding state has not~~  
17 ~~enacted this law or a law or procedure substantially~~  
18 ~~similar to this chapter, a tribunal, a tribunal of this~~  
19 state ~~may~~ shall issue a certificate or other document  
20 and make findings required by the law of the responding  
21 state. If the responding ~~state~~ tribunal is in a  
22 foreign ~~jurisdiction~~ country, upon request the tribunal  
23 ~~may of this state shall~~ specify the amount of support  
24 sought, convert that amount into the equivalent amount  
25 in the foreign currency under applicable official  
26 or market exchange rates as publicly reported, and  
27 provide any other documents necessary to satisfy the  
28 requirements of the responding ~~state~~ foreign tribunal.

29 Sec. \_\_\_\_\_. Section 252K.305, Code 2015, is amended  
30 to read as follows:

31 252K.305 Duties and powers of responding tribunal.

32 1. When a responding tribunal of this state  
33 receives a petition or comparable pleading from an  
34 initiating tribunal or directly pursuant to section  
35 252K.301, subsection ~~3~~ 2, it shall cause the petition  
36 or pleading to be filed and notify the movant where and  
37 when it was filed.

38 2. A responding tribunal of this state, to the  
39 extent ~~otherwise authorized~~ not prohibited by other  
40 law, may do one or more of the following:

41 a. ~~Issue~~ Establish or enforce a support order,  
42 modify a child support order, determine the controlling  
43 child support order, or ~~render a judgment to~~ determine  
44 parentage of a child.

45 b. Order an obligor to comply with a support order,  
46 specifying the amount and the manner of compliance.

47 c. Order income withholding.

48 d. Determine the amount of any arrearages, and  
49 specify a method of payment.

50 e. Enforce orders by civil or criminal contempt,

1 or both.

2 f. Set aside property for satisfaction of the  
3 support order.

4 g. Place liens and order execution on the obligor's  
5 property.

6 h. Order an obligor to keep the tribunal informed  
7 of the obligor's current residential address,  
8 electronic mail address, telephone number, employer,  
9 address of employment, and telephone number at the  
10 place of employment.

11 i. Issue a bench warrant for an obligor who has  
12 failed after proper notice to appear at a hearing  
13 ordered by the tribunal and enter the bench warrant  
14 in any local and state computer systems for criminal  
15 warrants.

16 j. Order the obligor to seek appropriate employment  
17 by specified methods.

18 k. Award reasonable attorney's fees and other fees  
19 and costs.

20 l. Grant any other available remedy.

21 3. A responding tribunal of this state shall  
22 include in a support order issued under this chapter,  
23 or in the documents accompanying the order, the  
24 calculations on which the support order is based.

25 4. A responding tribunal of this state may not  
26 condition the payment of a support order issued under  
27 this chapter upon compliance by a party with provisions  
28 for visitation.

29 5. If a responding tribunal of this state issues  
30 an order under this chapter, the tribunal shall send a  
31 copy of the order to the movant and the respondent and  
32 to the initiating tribunal, if any.

33 6. If requested to enforce a support order,  
34 arrear, or judgment or modify a support order stated  
35 in a foreign currency, a responding tribunal of this  
36 state shall convert the amount stated in the foreign  
37 currency to the equivalent amount in dollars under the  
38 applicable official or market exchange rate as publicly  
39 reported.

40 Sec. \_\_\_\_\_. Section 252K.306, Code 2015, is amended  
41 to read as follows:

42 252K.306 Inappropriate tribunal.

43 If a petition or comparable pleading is received  
44 by an inappropriate tribunal of this state, ~~it~~ the  
45 tribunal shall forward the pleading and accompanying  
46 documents to an appropriate tribunal ~~in~~ of this state  
47 or another state and notify the movant where and when  
48 the pleading was sent.

49 Sec. \_\_\_\_\_. Section 252K.307, Code 2015, is amended  
50 to read as follows:

1 252K.307 Duties of support enforcement agency.  
2 1. ~~A~~ In a proceeding under this chapter, a support  
3 enforcement agency of this state, upon request, shall:  
4 a. Shall provide services to a movant in a  
5 proceeding under this chapter residing in a state.  
6 b. Shall provide services to a movant requesting  
7 services through a central authority of a foreign  
8 country as described in section 252K.101, subsection 5,  
9 paragraph "a" or "d".  
10 c. May provide services to a movant who is an  
11 individual not residing in a state.  
12 2. A support enforcement agency of this state that  
13 is providing services to the movant as appropriate  
14 shall:  
15 a. Take all steps necessary to enable an  
16 appropriate tribunal in of this state, or another  
17 state, or a foreign country to obtain jurisdiction over  
18 the respondent.  
19 b. Request an appropriate tribunal to set a date,  
20 time, and place for a hearing.  
21 c. Make a reasonable effort to obtain all relevant  
22 information, including information as to income and  
23 property of the parties.  
24 d. Within five ten days, exclusive of Saturdays,  
25 Sundays, and legal holidays, after receipt of a written  
26 notice in a record from an initiating, responding, or  
27 registering tribunal, send a copy of the notice to the  
28 movant.  
29 e. Within five ten days, exclusive of Saturdays,  
30 Sundays, and legal holidays, after receipt of a written  
31 communication in a record from the respondent or the  
32 respondent's attorney, send a copy of the communication  
33 to the movant.  
34 f. Notify the movant if jurisdiction over the  
35 respondent cannot be obtained.  
36 3. A support enforcement agency of this state that  
37 requests registration of a child support order in this  
38 state for enforcement or for modification shall make  
39 reasonable efforts to do either of the following:  
40 a. To ensure that the order to be registered is the  
41 controlling order.  
42 b. If two or more child support orders exist  
43 and the identity of the controlling order has not  
44 been determined, to ensure that a request for such  
45 determination is made in a tribunal having jurisdiction  
46 to do so.  
47 4. A support enforcement agency of this state that  
48 requests registration and enforcement of a support  
49 order, arrears, or judgment stated in a foreign  
50 currency shall convert the amounts stated in the

1 foreign currency into the equivalent amounts in dollars  
2 under the applicable official or market exchange rate  
3 as publicly reported.

4 5. A support enforcement agency of this state shall  
5 issue or request a tribunal of this state to issue a  
6 child support order and an income withholding order  
7 that redirect payment of current support, arrears, and  
8 interest if requested to do so by a support enforcement  
9 agency of another state pursuant to section 252K.319.

10 6. This chapter does not create or negate a  
11 relationship of attorney and client or other fiduciary  
12 relationship between a support enforcement agency or  
13 the attorney for the agency and the individual being  
14 assisted by the agency.

15 Sec. \_\_\_\_\_. Section 252K.308, Code 2015, is amended  
16 to read as follows:

17 252K.308 Duty of attorney general.

18 1. If the attorney general determines that the  
19 support enforcement agency is neglecting or refusing to  
20 provide services to an individual, the attorney general  
21 may order the agency to perform its duties under this  
22 chapter or may provide those services directly to the  
23 individual.

24 2. The attorney general may determine that  
25 a foreign country has established a reciprocal  
26 arrangement for child support with this state and  
27 take appropriate action for notification of the  
28 determination.

29 Sec. \_\_\_\_\_. Section 252K.310, Code 2015, is amended  
30 to read as follows:

31 252K.310 Duties of state information agency.

32 1. The child support recovery unit is the state  
33 information agency under this chapter.

34 2. The state information agency shall:

35 a. Compile and maintain a current list, including  
36 addresses, of the tribunals in this state which  
37 have jurisdiction under this chapter and any support  
38 enforcement agencies in this state and transmit a copy  
39 to the state information agency of every other state.

40 b. Maintain a register of names and addresses of  
41 tribunals and support enforcement agencies received  
42 from other states.

43 c. Forward to the appropriate tribunal in the place  
44 in this state in which the ~~individual~~ obligee who is  
45 an individual or the obligor resides, or in which  
46 the obligor's property is believed to be located, all  
47 documents concerning a proceeding under this chapter  
48 received from an initiating tribunal or the state  
49 information agency of the initiating state another  
50 state or a foreign country.

1 d. Obtain information concerning the location  
2 of the obligor and the obligor's property within  
3 this state not exempt from execution, by such means  
4 as postal verification and federal or state locator  
5 services, examination of telephone directories,  
6 requests for the obligor's address from employers, and  
7 examination of governmental records, including, to the  
8 extent not prohibited by other law, those relating  
9 to real property, vital statistics, law enforcement,  
10 taxation, motor vehicles, driver's licenses, and social  
11 security.

12 Sec. \_\_\_\_\_. Section 252K.311, Code 2015, is amended  
13 to read as follows:

14 252K.311 Pleadings and accompanying documents.

15 1. ~~A~~ In a proceeding under this chapter, a movant  
16 seeking to establish a support order, to determine  
17 parentage of a child, or to register and modify a  
18 support order of a tribunal of another state or to  
19 ~~determine parentage in a proceeding under this chapter~~  
20 a foreign country must verify the file a petition or  
21 comparable pleading. Unless otherwise ordered under  
22 section 252K.312, the petition, comparable pleading, or  
23 accompanying documents must provide, so far as known,  
24 the name, residential address, and social security  
25 numbers of the obligor and the obligee or the parent  
26 and alleged parent, and the name, sex, residential  
27 address, social security number, and date of birth of  
28 each child for ~~whom~~ whose benefit support is sought or  
29 whose parentage is to be determined. ~~The~~ Unless filed  
30 at the time of registration, the petition or comparable  
31 pleading must be accompanied by a certified copy of any  
32 support order in effect known to have been issued by  
33 another tribunal. The petition or comparable pleading  
34 may include any other information that may assist in  
35 locating or identifying the respondent.

36 2. The petition or comparable pleading must  
37 specify the relief sought. The petition or comparable  
38 pleading and accompanying documents ~~shall~~ must conform  
39 substantially with the requirements imposed by the  
40 forms mandated by federal law for use in cases filed by  
41 a support enforcement agency.

42 Sec. \_\_\_\_\_. Section 252K.312, Code 2015, is amended  
43 to read as follows:

44 252K.312 Nondisclosure of information in exceptional  
45 circumstances.

46 ~~Upon a finding, which may be made ex parte, If a~~  
47 party alleges in an affidavit or a pleading under oath  
48 that the health, safety, or liberty of a party or child  
49 would be unreasonably put at risk jeopardized by the  
50 disclosure of specific identifying information, or

1 ~~if an existing order so provides, a tribunal shall~~  
2 ~~order that the address of the child or party or other~~  
3 ~~identifying information must be sealed and may not be~~  
4 ~~disclosed to the other party or the public. After a~~  
5 ~~hearing in a pleading or other document filed in a~~  
6 ~~proceeding under this chapter which a tribunal takes~~  
7 ~~into consideration the health, safety, or liberty of~~  
8 ~~the party or child, the tribunal may order disclosure~~  
9 ~~of information that the tribunal determines to be in~~  
10 ~~the interest of justice.~~

11 Sec. \_\_\_\_\_. Section 252K.313, Code 2015, is amended  
12 to read as follows:

13 252K.313 Costs and fees.

14 1. The movant ~~shall~~ may not be required to pay a  
15 filing fee or other costs.

16 2. If an obligee prevails, a responding tribunal of  
17 this state may assess against an obligor filing fees,  
18 reasonable attorney fees, other costs, and necessary  
19 travel and other reasonable expenses incurred by the  
20 obligee and the obligee's witnesses. The tribunal  
21 may not assess fees, costs, or expenses against the  
22 obligee or the support enforcement agency of either the  
23 initiating or ~~the~~ responding state or foreign country,  
24 except as provided by other law. Attorney fees may be  
25 taxed as costs, and may be ordered paid directly to the  
26 attorney, who may enforce the order in the attorney's  
27 own name. Payment of support owed to the obligee has  
28 priority over fees, costs, and expenses.

29 3. The tribunal shall order the payment of costs  
30 and reasonable attorney's fees if ~~the tribunal it~~  
31 determines that a hearing was requested primarily for  
32 delay. In a proceeding under ~~article~~ Article 6, a  
33 hearing is presumed to have been requested primarily  
34 for delay if a registered support order is confirmed  
35 or enforced without change.

36 Sec. \_\_\_\_\_. Section 252K.314, Code 2015, is amended  
37 to read as follows:

38 252K.314 Limited immunity of movant.

39 1. Participation by a movant in a proceeding under  
40 this chapter before a responding tribunal, whether  
41 in person, by private attorney, or through services  
42 provided by the support enforcement agency, does not  
43 confer personal jurisdiction over the movant in another  
44 proceeding.

45 2. A movant is not amenable to service of civil  
46 process while physically present in this state to  
47 participate in a proceeding under this chapter.

48 3. The immunity granted by this section does not  
49 extend to civil litigation based on acts unrelated to  
50 a proceeding under this chapter committed by a party

1 while physically present in this state to participate  
2 in the proceeding.

3 Sec. \_\_\_\_\_. Section 252K.316, Code 2015, is amended  
4 to read as follows:

5 252K.316 Special rules of evidence and procedure.

6 1. The physical presence of ~~the movant a~~  
7 nonresident party who is an individual in a responding  
8 tribunal of this state is not required for the  
9 establishment, enforcement, or modification of  
10 a support order or the rendition of a judgment  
11 determining parentage of a child.

12 2. ~~A verified petition, An~~ affidavit, a document  
13 substantially complying with federally mandated forms,  
14 ~~and or~~ a document incorporated by reference in any of  
15 them, which would not be excluded under the hearsay  
16 rule if given in person, is admissible in evidence  
17 if given under oath penalty of perjury by a party or  
18 witness residing ~~in another~~ outside this state.

19 3. A copy of the record of child support payments  
20 certified as a true copy of the original by the  
21 custodian of the record may be forwarded to a  
22 responding tribunal. The copy is evidence of facts  
23 asserted in it, and is admissible to show whether  
24 payments were made.

25 4. Copies of bills for testing for parentage of a  
26 child, and for prenatal and postnatal health care of  
27 the mother and child, furnished to the adverse party at  
28 least ten days before trial, are admissible in evidence  
29 to prove the amount of the charges billed and that the  
30 charges were reasonable, necessary, and customary.

31 5. Documentary evidence transmitted from ~~another~~  
32 outside this state to a tribunal of this state by  
33 telephone, telecopier, or other electronic means that  
34 do not provide an original ~~writing record~~ may not be  
35 excluded from evidence on an objection based on the  
36 means of transmission.

37 6. In a proceeding under this chapter, a tribunal  
38 of this state ~~may~~ shall permit a party or witness  
39 residing ~~in another~~ outside this state to be deposed  
40 or to testify under penalty of perjury by telephone,  
41 audiovisual means, or other electronic means at a  
42 designated tribunal or other location ~~in that state~~.  
43 A tribunal of this state shall cooperate with other  
44 ~~tribunals of other states~~ in designating an appropriate  
45 location for the deposition or testimony.

46 7. If a party called to testify at a civil hearing  
47 refuses to answer on the ground that the testimony may  
48 be self incriminating, the trier of fact may draw an  
49 adverse inference from the refusal.

50 8. A privilege against disclosure of communications



1 between spouses does not apply in a proceeding under  
2 this chapter.

3 9. The defense of immunity based on the  
4 relationship of husband and wife or parent and child  
5 does not apply in a proceeding under this chapter.

6 10. A voluntary acknowledgment of paternity,  
7 certified as a true copy, is admissible to establish  
8 parentage of a child.

9 Sec. \_\_\_\_\_. Section 252K.317, Code 2015, is amended  
10 to read as follows:

11 252K.317 Communications between tribunals.

12 A tribunal of this state may communicate with a  
13 ~~tribunal of another~~ outside this state in writing a  
14 record, or by telephone, electronic mail, or other  
15 means, to obtain information concerning the laws ~~of~~  
16 ~~that state~~, the legal effect of a judgment, decree, or  
17 order of that tribunal, and the status of a proceeding  
18 ~~in the other state~~. A tribunal of this state may  
19 furnish similar information by similar means to a  
20 ~~tribunal of another~~ outside this state.

21 Sec. \_\_\_\_\_. Section 252K.318, Code 2015, is amended  
22 to read as follows:

23 252K.318 Assistance with discovery.

24 A tribunal of this state may:

25 1. Request a ~~tribunal of another~~ outside this state  
26 to assist in obtaining discovery.

27 2. Upon request, compel a person over ~~whom~~ which it  
28 has jurisdiction to respond to a discovery order issued  
29 by a ~~tribunal of another~~ outside this state.

30 Sec. \_\_\_\_\_. Section 252K.319, Code 2015, is amended  
31 to read as follows:

32 252K.319 Receipt and disbursement of payments.

33 1. A support enforcement agency or tribunal of this  
34 state shall disburse promptly any amounts received  
35 pursuant to a support order, as directed by the order.  
36 The agency or tribunal shall furnish to a requesting  
37 party or a tribunal of another state or a foreign  
38 country a certified statement by the custodian of  
39 the record of the amounts and dates of all payments  
40 received.

41 2. If neither the obligor, nor the obligee who is  
42 an individual, nor the child resides in this state,  
43 upon request from the support enforcement agency of  
44 this state or another state, the child support recovery  
45 unit or a tribunal of this state shall:

46 a. Direct that the support payment be made to the  
47 support enforcement agency in the state in which the  
48 obligee is receiving services.

49 b. Issue and send to the obligor's employer  
50 a conforming income withholding order or an

1 administrative notice of change of payee, reflecting  
2 the redirected payments.

3 3. The support enforcement agency of this state  
4 receiving redirected payments from another state  
5 pursuant to a law similar to subsection 2 shall furnish  
6 to a requesting party or tribunal of the other state a  
7 certified statement by the custodian of the record of  
8 the amount and dates of all payments received.

9 Sec. \_\_\_\_\_. Section 252K.401, Code 2015, is amended  
10 to read as follows:

11 252K.401 ~~Petition to establish~~ Establishment of  
12 support order.

13 1. If a support order entitled to recognition  
14 under this chapter has not been issued, a responding  
15 tribunal of this state with personal jurisdiction over  
16 the parties may issue a support order if any of the  
17 following applies:

18 a. The individual seeking the order resides ~~in~~  
19 another outside this state.

20 b. The support enforcement agency seeking the order  
21 is located ~~in another~~ outside this state.

22 2. The tribunal may issue a temporary child support  
23 order if the tribunal determines that such an order is  
24 appropriate and the individual ordered to pay is any  
25 of the following applies:

26 a. ~~The respondent has signed a verified statement~~  
27 ~~acknowledging parentage~~ A presumed father of the child.

28 b. ~~The respondent has been determined by or~~  
29 ~~pursuant~~ Petitioning to law to be the parent have his  
30 paternity adjudicated.

31 c. ~~There is other clear and convincing evidence~~  
32 ~~that the respondent is the child's parent~~ Identified as  
33 the father of the child through genetic testing.

34 d. An alleged father who has declined to submit to  
35 genetic testing.

36 e. Shown by clear and convincing evidence to be the  
37 father of the child.

38 f. An acknowledged father as provided by section  
39 252A.3A.

40 g. The mother of the child.

41 h. An individual who has been ordered to pay child  
42 support in a previous proceeding and the order has been  
43 reversed or vacated.

44 3. Upon finding, after notice and opportunity to  
45 be heard, that an obligor owes a duty of support, the  
46 tribunal shall issue a support order directed to the  
47 obligor and may issue other orders pursuant to section  
48 252K.305.

49 Sec. \_\_\_\_\_. NEW SECTION. 252K.402 Proceeding to  
50 determine parentage.

1 A tribunal of this state authorized to determine  
2 parentage of a child may serve as a responding tribunal  
3 in a proceeding to determine parentage of a child  
4 brought under this chapter or a law or procedure  
5 substantially similar to this chapter.

6 Sec. \_\_\_\_\_. Section 252K.501, Code 2015, is amended  
7 to read as follows:

8 252K.501 Employer's receipt of income withholding  
9 order of another state.

10 An income withholding order issued in another state  
11 may be sent by or on behalf of the obligee, or by the  
12 support enforcement agency, to the person ~~or entity~~  
13 defined as the obligor's employer under the income  
14 withholding law of this state without first filing a  
15 petition or comparable pleading or registering the  
16 order with a tribunal of this state.

17 Sec. \_\_\_\_\_. Section 252K.502, subsection 3, paragraph  
18 b, Code 2015, is amended to read as follows:

19 b. The person ~~or agency~~ designated to receive  
20 payments and the address to which the payments are to  
21 be forwarded.

22 Sec. \_\_\_\_\_. Section 252K.503, Code 2015, is amended  
23 to read as follows:

24 252K.503 ~~Compliance~~ Employer's compliance with  
25 ~~multiple two or more~~ income withholding orders.

26 If an obligor's employer receives ~~multiple two~~  
27 or more income withholding orders with respect  
28 to the earnings of the same obligor, the employer  
29 satisfies the terms of the ~~multiple~~ orders if the  
30 employer complies with the law of the state of the  
31 obligor's principal place of employment to establish  
32 the priorities for withholding and allocating income  
33 withheld for ~~multiple two or more~~ child support  
34 obligees.

35 Sec. \_\_\_\_\_. Section 252K.504, Code 2015, is amended  
36 to read as follows:

37 252K.504 Immunity from civil liability.

38 An employer ~~who~~ that complies with an income  
39 withholding order issued in another state in accordance  
40 with this article is not subject to civil liability to  
41 an individual or agency with regard to the employer's  
42 withholding of child support from the obligor's income.

43 Sec. \_\_\_\_\_. Section 252K.505, Code 2015, is amended  
44 to read as follows:

45 252K.505 Penalties for noncompliance.

46 An employer ~~who~~ that willfully fails to comply with  
47 an income withholding order issued ~~by~~ in another state  
48 and received for enforcement is subject to the same  
49 penalties that may be imposed for noncompliance with an  
50 order issued by a tribunal of this state.

1 Sec. \_\_\_\_\_. Section 252K.506, Code 2015, is amended  
2 to read as follows:

3 252K.506 Contest by obligor.

4 1. An obligor may contest the validity or  
5 enforcement of an income withholding order issued in  
6 another state and received directly by an employer  
7 in this state by registering the order in a tribunal  
8 of this state and filing a contest to that order as  
9 provided in Article 6, or otherwise contesting the  
10 order in the same manner as if the order had been  
11 issued by a tribunal of this state. ~~Section 252K.604~~  
12 ~~applies to the contest.~~

13 2. The obligor shall give notice of the contest to:

14 a. A support enforcement agency providing services  
15 to the obligee.

16 b. Each employer that has directly received an  
17 income withholding order relating to the obligor.

18 c. The person ~~or agency~~ designated to receive  
19 payments in the income withholding order, or if no  
20 person ~~or agency~~ is designated, to the obligee.

21 Sec. \_\_\_\_\_. Section 252K.507, subsection 1, Code  
22 2015, is amended to read as follows:

23 1. A party or support enforcement agency seeking to  
24 enforce a support order or an income withholding order,  
25 or both, ~~issued by a tribunal of~~ in another state or a  
26 foreign support order may send the documents required  
27 for registering the order to a support enforcement  
28 agency of this state.

29 Sec. \_\_\_\_\_. Section 252K.601, Code 2015, is amended  
30 to read as follows:

31 252K.601 Registration of order for enforcement.

32 A support order or ~~an~~ income withholding order  
33 ~~issued by a tribunal of~~ in another state or a foreign  
34 support order may be registered in this state for  
35 enforcement.

36 Sec. \_\_\_\_\_. Section 252K.602, Code 2015, is amended  
37 to read as follows:

38 252K.602 Procedure to register order for  
39 enforcement.

40 1. ~~A~~ Except as otherwise provided in section  
41 252K.706, a support order or income withholding order  
42 of another state or a foreign support order may be  
43 registered in this state by sending the following  
44 ~~documents and information~~ records to the appropriate  
45 tribunal in this state:

46 a. A letter of transmittal to the tribunal  
47 requesting registration and enforcement.

48 b. Two copies, including one certified copy, of  
49 ~~all orders~~ the order to be registered, including any  
50 modification of ~~an~~ the order.

1 c. A sworn statement by the ~~party seeking person~~  
2 requesting registration or a certified statement by  
3 the custodian of the records showing the amount of any  
4 arrearage.

5 d. The name of the obligor and, if known:

6 (1) The obligor's address and social security  
7 number.

8 (2) The name and address of the obligor's employer  
9 and any other source of income of the obligor.

10 (3) A description and the location of property of  
11 the obligor in this state not exempt from execution.

12 e. The Except as otherwise provided in section  
13 252K.312, the name and address of the obligee and,  
14 if applicable, the ~~agency or~~ person to whom support  
15 payments are to be remitted.

16 2. On receipt of a request for registration, the  
17 registering tribunal shall cause the order to be filed  
18 as an order of a tribunal of another state or a foreign  
19 judgment support order, together with one copy of the  
20 documents and information, regardless of their form.

21 3. A petition or comparable pleading seeking a  
22 remedy that must be affirmatively sought under other  
23 law of this state may be filed at the same time as the  
24 request for registration or later. The pleading must  
25 specify the grounds for the remedy sought.

26 4. If two or more orders are in effect, the person  
27 requesting registration shall:

28 a. Furnish to the tribunal a copy of every support  
29 order asserted to be in effect in addition to the  
30 documents specified in this section.

31 b. Specify the order alleged to be the controlling  
32 order, if any.

33 c. Specify the amount of consolidated arrears, if  
34 any.

35 5. A request for determination of which is the  
36 controlling order may be filed separately or with  
37 a request for registration and enforcement or for  
38 registration and modification. The person requesting  
39 registration shall give notice of the request to  
40 each party whose rights may be affected by the  
41 determination.

42 Sec. \_\_\_\_\_. Section 252K.603, Code 2015, is amended  
43 to read as follows:

44 252K.603 Effect of registration for enforcement.

45 1. A support order or income withholding order  
46 issued in another state or a foreign support order is  
47 registered when the order is filed in the registering  
48 tribunal of this state.

49 2. A registered support order issued in another  
50 state or a foreign country is enforceable in the same

1 manner and is subject to the same procedures as an  
2 order issued by a tribunal of this state.

3 3. Except as otherwise provided in this ~~article~~  
4 chapter, a tribunal of this state shall recognize and  
5 enforce, but may not modify, a registered support order  
6 if the issuing tribunal had jurisdiction.

7 Sec. \_\_\_\_\_. Section 252K.604, Code 2015, is amended  
8 to read as follows:

9 252K.604 Choice of law.

10 1. ~~The~~ Except as otherwise provided in subsection  
11 4, the law of the issuing state or foreign country  
12 governs the:

13 a. The nature, extent, amount, and duration of  
14 current payments and other obligations of under a  
15 registered support and the order.

16 b. The computation and payment of arrearages and  
17 accrual of interest on the arrearages under the support  
18 order.

19 c. The existence and satisfaction of other  
20 obligations under the support order.

21 2. In a proceeding for ~~arrearages~~ arrears under  
22 a registered support order, the statute of limitation  
23 ~~under the laws~~ of this state or of the issuing state or  
24 foreign country, whichever is longer, applies.

25 3. A responding tribunal of this state shall apply  
26 the procedures and remedies of this state to enforce  
27 current support and collect arrears and interest due on  
28 a support order of another state or a foreign country  
29 registered in this state.

30 4. After a tribunal of this state or another state  
31 determines which is the controlling order and issues  
32 an order consolidating arrears, if any, a tribunal of  
33 this state shall prospectively apply the law of the  
34 state or foreign country issuing the controlling order,  
35 including its law on interest on arrears, on current  
36 and future support, and on consolidated arrears.

37 Sec. \_\_\_\_\_. Section 252K.605, Code 2015, is amended  
38 to read as follows:

39 252K.605 Notice of registration of order.

40 1. When a support order or income withholding order  
41 issued in another state or a foreign support order  
42 is registered, the registering tribunal of this state  
43 shall notify the nonregistering party. The notice must  
44 be accompanied by a copy of the registered order and  
45 the documents and relevant information accompanying the  
46 order.

47 2. ~~The~~ A notice must inform the nonregistering  
48 party:

49 a. That a registered support order is enforceable  
50 as of the date of registration in the same manner as an

1 order issued by a tribunal of this state.

2 b. That a hearing to contest the validity or  
3 enforcement of the registered order must be requested  
4 within twenty days after ~~the date of mailing or~~  
5 ~~personal service of the~~ notice unless the registered  
6 order is contested under section 252K.707.

7 c. That failure to contest the validity or  
8 enforcement of the registered order in a timely  
9 manner will result in confirmation of the order and  
10 enforcement of the order and the alleged arrearages ~~and~~  
11 ~~precludes further contest of that order with respect to~~  
12 ~~any matter that could have been asserted.~~

13 d. Of the amount of any alleged arrearages.

14 3. If the registering party asserts that two or  
15 more orders are in effect, a notice must also:

16 a. Identify the two or more orders and the order  
17 alleged by the registering party to be the controlling  
18 order and the consolidated arrears, if any.

19 b. Notify the nonregistering party of the right to  
20 a determination of which is the controlling order.

21 c. State that the procedures provided in subsection  
22 2 apply to the determination of which is the  
23 controlling order.

24 d. State that failure to contest the validity or  
25 enforcement of the order alleged to be the controlling  
26 order in a timely manner may result in confirmation  
27 that the order is the controlling order.

28 4. Upon registration of an income withholding order  
29 for enforcement, the support enforcement agency or  
30 the registering tribunal shall notify the obligor's  
31 employer pursuant to the income withholding law of this  
32 state.

33 Sec. \_\_\_\_\_. Section 252K.606, Code 2015, is amended  
34 to read as follows:

35 252K.606 Procedure to contest validity or  
36 enforcement of registered support order.

37 1. A nonregistering party seeking to contest the  
38 validity or enforcement of a registered support order  
39 in this state shall request a hearing within ~~twenty~~  
40 ~~days after the date of mailing or personal service~~  
41 ~~of notice of the registration~~ the time required by  
42 section 252K.605. The nonregistering party may seek to  
43 vacate the registration, to assert any defense to an  
44 allegation of noncompliance with the registered order,  
45 or to contest the remedies being sought or the amount  
46 of any alleged arrearages pursuant to section 252K.607.

47 2. If the nonregistering party fails to contest the  
48 validity or enforcement of the registered order in a  
49 timely manner, the order is confirmed by operation of  
50 law.



1 3. If a nonregistering party requests a hearing to  
2 contest the validity or enforcement of the registered  
3 support order, the registering tribunal shall schedule  
4 the matter for hearing and give notice to the parties  
5 of the date, time, and place of the hearing.

6 Sec. \_\_\_\_\_. Section 252K.607, Code 2015, is amended  
7 to read as follows:

8 252K.607 Contest of registration or enforcement.

9 1. A party contesting the validity or enforcement  
10 of a registered support order or seeking to vacate the  
11 registration has the burden of proving one or more of  
12 the following defenses:

13 a. The issuing tribunal lacked personal  
14 jurisdiction over the contesting party.

15 b. The order was obtained by fraud.

16 c. The order has been vacated, suspended, or  
17 modified by a later order.

18 d. The issuing tribunal has stayed the order  
19 pending appeal.

20 e. There is a defense under the law of this state  
21 to the remedy sought.

22 f. Full or partial payment has been made.

23 g. The statute of limitation under section 252K.604  
24 precludes enforcement of some or all of the alleged  
25 arrearages.

26 h. The alleged controlling order is not the  
27 controlling order.

28 2. If a party presents evidence establishing  
29 a full or partial defense under subsection 1, a  
30 tribunal may stay enforcement of ~~the~~ a registered  
31 support order, continue the proceeding to permit  
32 production of additional relevant evidence, and issue  
33 other appropriate orders. An uncontested portion of  
34 the registered support order may be enforced by all  
35 remedies available under the law of this state.

36 3. If the contesting party does not establish  
37 a defense under subsection 1 to the validity or  
38 enforcement of ~~the~~ a registered support order, the  
39 registering tribunal shall issue an order confirming  
40 the order.

41 Sec. \_\_\_\_\_. Section 252K.608, Code 2015, is amended  
42 to read as follows:

43 252K.608 Confirmed order.

44 Confirmation of a registered support order, whether  
45 by operation of law or after notice and hearing,  
46 precludes further contest of the order with respect to  
47 any matter that could have been asserted at the time  
48 of registration.

49 Sec. \_\_\_\_\_. Section 252K.609, Code 2015, is amended  
50 to read as follows:

1 252K.609 Procedure to register child support order  
2 of another state for modification.

3 A party or support enforcement agency seeking to  
4 modify, or to modify and enforce, a child support order  
5 issued in another state shall register that order  
6 in this state in the same manner provided in ~~part 1~~  
7 sections 252K.601 through 252K.608 if the order has not  
8 been registered. A petition or comparable pleading for  
9 modification may be filed at the same time as a request  
10 for registration, or later. The pleading must specify  
11 the grounds for modification.

12 Sec. \_\_\_\_\_. Section 252K.610, Code 2015, is amended  
13 to read as follows:

14 252K.610 Effect of registration for modification.

15 A tribunal of this state may enforce a child support  
16 order of another state registered for purposes of  
17 modification, in the same manner as if the order  
18 had been issued by a tribunal of this state, but the  
19 registered support order may be modified only if the  
20 requirements of section 252K.611 or 252K.613 have been  
21 met.

22 Sec. \_\_\_\_\_. Section 252K.611, Code 2015, is amended  
23 to read as follows:

24 252K.611 Modification of child support order of  
25 another state.

26 1. ~~After~~ If section 252K.613 does not apply, upon  
27 petition or comparable pleading, a tribunal of this  
28 state may modify a child support order issued in  
29 another state ~~has been~~ which is registered in this  
30 state, ~~the responding tribunal of this state may modify~~  
31 that order only if ~~section 252K.613 does not apply and~~  
32 after notice and hearing ~~it~~ the tribunal finds that  
33 paragraph "a" or "b" applies:

34 a. The following requirements are met:

35 (1) ~~The~~ Neither the child, nor the individual  
36 obligee who is an individual, and nor the obligor ~~do~~  
37 ~~not reside~~ resides in the issuing state.

38 (2) A movant who is a nonresident of this state  
39 seeks modification.

40 (3) The respondent is subject to the personal  
41 jurisdiction of the tribunal of this state.

42 b. ~~The~~ This state is the state of residence of the  
43 child, or a party who is an individual, is subject  
44 to the personal jurisdiction of the tribunal of this  
45 state, and all of the parties who are individuals have  
46 filed ~~written~~ consents in a record in the issuing  
47 tribunal for a tribunal of this state to modify  
48 the support order and assume continuing, exclusive  
49 jurisdiction ~~over the order. However, if the issuing~~  
50 ~~state is a foreign jurisdiction that has not enacted~~

~~1 a law or established procedures substantially similar  
2 to the procedures under this chapter, the consent  
3 otherwise required of an individual residing in this  
4 state is not required for the tribunal to assume  
5 jurisdiction to modify the child support order.~~

6 2. Modification of a registered child support order  
7 is subject to the same requirements, procedures, and  
8 defenses that apply to the modification of an order  
9 issued by a tribunal of this state and the order may be  
10 enforced and satisfied in the same manner.

11 3. A tribunal of this state may not modify any  
12 aspect of a child support order that may not be  
13 modified under the law of the issuing state, including  
14 the duration of the obligation of support. If two or  
15 more tribunals have issued child support orders for the  
16 same obligor and same child, the order that controls  
17 and must be so recognized under section 252K.207  
18 establishes the aspects of the support order which are  
19 nonmodifiable.

20 4. In a proceeding to modify a child support order,  
21 the law of the state that is determined to have issued  
22 the initial controlling order governs the duration of  
23 the obligation of support. The obligor's fulfillment  
24 of the duty of support established by that order  
25 precludes imposition of a further obligation of support  
26 by a tribunal of this state.

27 5. On the issuance of an order by a tribunal of  
28 this state modifying a child support order issued in  
29 another state, a the tribunal of this state becomes the  
30 tribunal having continuing, exclusive jurisdiction.

31 6. Notwithstanding subsections 1 through 5 and  
32 section 252K.201, subsection 2, a tribunal of this  
33 state retains jurisdiction to modify an order issued  
34 by a tribunal of this state if both of the following  
35 apply:

36 a. One party resides in another state.

37 b. The other party resides outside the United  
38 States.

39 Sec. \_\_\_\_ . Section 252K.612, Code 2015, is amended  
40 to read as follows:

41 252K.612 Recognition of order modified in another  
42 state.

43 ~~A tribunal of this state shall recognize If a~~  
44 ~~modification of its earlier child support order issued~~  
45 ~~by a tribunal of this state is modified by a tribunal~~  
46 ~~of another state which assumed jurisdiction pursuant~~  
47 ~~to this chapter or a law substantially similar to this~~  
48 ~~chapter and, upon request, except as otherwise provided~~  
49 ~~in this chapter, shall a tribunal of this state:~~

50 1. ~~Enforce the~~ May enforce its order that was

1 modified only as to ~~amounts~~ arrears and interest  
2 accruing before the modification.

3 2. ~~Enforce only nonmodifiable aspects of that~~  
4 ~~order.~~

5 3. ~~Provide other~~ May provide appropriate relief  
6 ~~only~~ for violations of ~~the~~ its order which occurred  
7 before the effective date of the modification.

8 4. 3. ~~Recognize~~ Shall recognize the modifying  
9 order of the other state, upon registration, for the  
10 purpose of enforcement.

11 Sec. \_\_\_\_\_. NEW SECTION. 252K.615 Jurisdiction to  
12 modify child support order of foreign country.

13 1. Except as otherwise provided in section  
14 252K.711, if a foreign country lacks or refuses to  
15 exercise jurisdiction to modify its child support  
16 order pursuant to its laws, a tribunal of this state  
17 may assume jurisdiction to modify the child support  
18 order and bind all individuals subject to the personal  
19 jurisdiction of the tribunal whether the consent  
20 to modification of a child support order otherwise  
21 required of the individual pursuant to section 252K.611  
22 has been given or whether the individual seeking  
23 modification is a resident of this state or of the  
24 foreign country.

25 2. An order issued by a tribunal of this state  
26 modifying a foreign child support order pursuant to  
27 this section is the controlling order.

28 Sec. \_\_\_\_\_. NEW SECTION. 252K.616 Procedures to  
29 register child support order of foreign country for  
30 modification.

31 A party or support enforcement agency seeking to  
32 modify, or to modify and enforce, a foreign child  
33 support order not under the convention may register  
34 that order in this state under sections 252K.601  
35 through 252K.608 if the order has not been registered.  
36 A petition or comparable pleading for modification  
37 may be filed at the same time as a request for  
38 registration, or at another time. The pleading must  
39 specify the grounds for modification.

40 Sec. \_\_\_\_\_. Section 252K.701, Code 2015, is amended  
41 by striking the section and inserting in lieu thereof  
42 the following:

43 252K.701 Definitions.

44 In this article:

45 1. "Application" means a request under the  
46 convention by an obligee or obligor, or on behalf of a  
47 child, made through a central authority for assistance  
48 from another central authority.

49 2. "Central authority" means the entity designated  
50 by the United States or a foreign country described

1 in section 252K.101, subsection 5, paragraph "d", to  
2 perform the functions specified in the convention.

3 3. "Convention support order" means a support order  
4 of a tribunal of a foreign country described in section  
5 252K.101, subsection 5, paragraph "d".

6 4. "Direct request" means a petition for support  
7 filed by an individual in a tribunal of this state in a  
8 proceeding involving an obligee, obligor, or a child  
9 residing outside the United States.

10 5. "Foreign central authority" means the entity  
11 designated by a foreign country described in section  
12 252K.101, subsection 5, paragraph "d", to perform the  
13 functions specified in the convention.

14 6. "Foreign support agreement":

15 a. Means an agreement for support in a record that:

16 (1) Is enforceable as a support order in the  
17 country of origin.

18 (2) Has been formally drawn up or registered as  
19 an authentic instrument by a foreign tribunal or  
20 authenticated by, or concluded, registered, or filed  
21 with a foreign tribunal.

22 (3) May be reviewed and modified by a foreign  
23 tribunal.

24 b. "Foreign support agreement" includes a  
25 maintenance arrangement or authentic instrument under  
26 the convention.

27 7. "United States central authority" means the  
28 secretary of the United States department of health and  
29 human services.

30 Sec. \_\_\_\_\_. NEW SECTION. 252K.702 Applicability.

31 This article applies only to a support proceeding  
32 under the convention. In such a proceeding, if a  
33 provision of this article is inconsistent with Articles  
34 1 through 6, this article controls.

35 Sec. \_\_\_\_\_. NEW SECTION. 252K.703 Relationship of  
36 child support recovery unit to United States central  
37 authority.

38 The child support recovery unit of this state is  
39 recognized as the agency designated by the United  
40 States central authority to perform specific functions  
41 under the convention.

42 Sec. \_\_\_\_\_. NEW SECTION. 252K.704 Initiation by  
43 child support recovery unit of support proceeding under  
44 convention.

45 1. In a support proceeding under this article, the  
46 child support recovery unit of this state shall:

47 a. Transmit and receive applications.

48 b. Initiate or facilitate the institution of a  
49 proceeding regarding an application in a tribunal of  
50 this state.

1 2. The following support proceedings are available  
2 to an obligee under the convention:

3 a. Recognition or recognition and enforcement of a  
4 foreign support order.

5 b. Enforcement of a support order issued or  
6 recognized in this state.

7 c. Establishment of a support order if there is no  
8 existing order, including, if necessary, determination  
9 of parentage of a child.

10 d. Establishment of a support order if recognition  
11 of a foreign support order is refused under section  
12 252K.708, subsection 2, paragraph "b", "d", or "i".

13 e. Modification of a support order of a tribunal of  
14 this state.

15 f. Modification of a support order of a tribunal of  
16 another state or a foreign country.

17 3. The following support proceedings are available  
18 under the convention to an obligor against which there  
19 is an existing support order:

20 a. Recognition of an order suspending or limiting  
21 enforcement of an existing support order of a tribunal  
22 of this state.

23 b. Modification of a support order of a tribunal of  
24 this state.

25 c. Modification of a support order of a tribunal of  
26 another state or a foreign country.

27 4. A tribunal of this state may not require  
28 security, bond, or deposit, however described,  
29 to guarantee the payment of costs and expenses in  
30 proceedings under the convention.

31 Sec. \_\_\_\_\_. NEW SECTION. 252K.705 Direct request.

32 1. A petitioner may file a direct request seeking  
33 establishment or modification of a support order  
34 or determination of parentage of a child. In the  
35 proceeding, the law of this state applies.

36 2. A petitioner may file a direct request seeking  
37 recognition and enforcement of a support order or  
38 support agreement. In the proceeding, sections  
39 252K.706 through 252K.713 apply.

40 3. In a direct request for recognition and  
41 enforcement of a convention support order or foreign  
42 support agreement:

43 a. A security, bond, or deposit is not required to  
44 guarantee the payment of costs and expenses.

45 b. An obligee or obligor that in the issuing  
46 country has benefited from free legal assistance is  
47 entitled to benefit, at least to the same extent, from  
48 any free legal assistance provided for by the law of  
49 this state under the same circumstances.

50 4. A petitioner filing a direct request is not

1 entitled to assistance from the child support recovery  
2 unit.

3 5. This article does not prevent the application  
4 of laws of this state that provide simplified, more  
5 expeditious rules regarding a direct request for  
6 recognition and enforcement of a foreign support order  
7 or foreign support agreement.

8 Sec. \_\_\_\_\_. NEW SECTION. 252K.706 Registration of  
9 convention support order.

10 1. Except as otherwise provided in this article,  
11 a party who is an individual or a support enforcement  
12 agency seeking recognition of a convention support  
13 order shall register the order in this state as  
14 provided in Article 6.

15 2. Notwithstanding section 252K.311 and section  
16 252K.602, subsection 1, a request for registration of a  
17 convention support order must be accompanied by:

18 a. A complete text of the support order.

19 b. A record stating that the support order is  
20 enforceable in the issuing country.

21 c. If the respondent did not appear and was not  
22 represented in the proceedings in the issuing country,  
23 a record attesting, as appropriate, either that the  
24 respondent had proper notice of the proceedings and  
25 an opportunity to be heard or that the respondent had  
26 proper notice of the support order and an opportunity  
27 to be heard in a challenge or appeal on fact or law  
28 before a tribunal.

29 d. A record showing the amount of arrears, if any,  
30 and the date the amount was calculated.

31 e. A record showing a requirement for automatic  
32 adjustment of the amount of support, if any, and  
33 the information necessary to make the appropriate  
34 calculations.

35 f. If necessary, a record showing the extent to  
36 which the applicant received free legal assistance in  
37 the issuing country.

38 3. A request for registration of a convention  
39 support order may seek recognition and partial  
40 enforcement of the order.

41 4. A tribunal of this state may vacate the  
42 registration of a convention support order without  
43 the filing of a contest under section 252K.707 only  
44 if, acting on its own motion, the tribunal finds that  
45 recognition and enforcement of the order would be  
46 manifestly incompatible with public policy.

47 5. The tribunal shall promptly notify the parties  
48 of the registration or the order vacating the  
49 registration of a convention support order.

50 Sec. \_\_\_\_\_. NEW SECTION. 252K.707 Contest of



1 registered convention support order.

2 1. Except as otherwise provided in this article,  
3 sections 252K.605 through 252K.608 apply to a contest  
4 of a registered convention support order.

5 2. A party contesting a registered convention  
6 support order shall file a contest not later than  
7 thirty days after notice of the registration, but if  
8 the contesting party does not reside in the United  
9 States, the contest must be filed not later than sixty  
10 days after notice of the registration.

11 3. If the nonregistering party fails to contest  
12 the registered convention support order by the time  
13 specified in subsection 2, the order is enforceable.

14 4. A contest of a registered convention support  
15 order may be based only on grounds set forth in section  
16 252K.708. The contesting party bears the burden of  
17 proof.

18 5. In a contest of a registered convention support  
19 order, a tribunal of this state:

20 a. Is bound by the findings of fact on which the  
21 foreign tribunal based its jurisdiction.

22 b. May not review the merits of the order.

23 6. A tribunal of this state deciding a contest of  
24 a registered convention support order shall promptly  
25 notify the parties of its decision.

26 7. A challenge or appeal, if any, does not stay the  
27 enforcement of a convention support order unless there  
28 are exceptional circumstances.

29 Sec. \_\_\_\_\_. NEW SECTION. 252K.708 Recognition and  
30 enforcement of registered convention support order.

31 1. Except as otherwise provided in subsection 2, a  
32 tribunal of this state shall recognize and enforce a  
33 registered convention support order.

34 2. The following grounds are the only grounds on  
35 which a tribunal of this state may refuse recognition  
36 and enforcement of a registered convention support  
37 order:

38 a. Recognition and enforcement of the order is  
39 manifestly incompatible with public policy, including  
40 the failure of the issuing tribunal to observe minimum  
41 standards of due process, which include notice and an  
42 opportunity to be heard.

43 b. The issuing tribunal lacked personal  
44 jurisdiction consistent with section 252K.201.

45 c. The order is not enforceable in the issuing  
46 country.

47 d. The order was obtained by fraud in connection  
48 with a matter of procedure.

49 e. A record transmitted in accordance with section  
50 252K.706 lacks authenticity or integrity.

1 f. A proceeding between the same parties and having  
2 the same purpose is pending before a tribunal of this  
3 state and that proceeding was the first to be filed.

4 g. The order is incompatible with a more recent  
5 support order involving the same parties and having  
6 the same purpose if the more recent support order is  
7 entitled to recognition and enforcement under this  
8 chapter in this state.

9 h. Payment, to the extent alleged arrears have been  
10 paid in whole or in part.

11 i. In a case in which the respondent neither  
12 appeared nor was represented in the proceeding in  
13 the issuing foreign country, any of the following is  
14 applicable:

15 (1) If the law of that country provides for prior  
16 notice of proceedings, the respondent did not have  
17 proper notice of the proceedings and an opportunity to  
18 be heard.

19 (2) If the law of that country does not provide for  
20 prior notice of the proceedings, the respondent did not  
21 have proper notice of the order and an opportunity to  
22 be heard in a challenge or appeal on fact or law before  
23 a tribunal.

24 j. The order was made in violation of section  
25 252K.711.

26 3. If a tribunal of this state does not recognize a  
27 convention support order under subsection 2, paragraph  
28 "b", "d", or "i":

29 a. The tribunal may not dismiss the proceeding  
30 without allowing a reasonable time for a party to  
31 request the establishment of a new convention support  
32 order.

33 b. The child support recovery unit shall take all  
34 appropriate measures to request a child support order  
35 for the obligee if the application for recognition and  
36 enforcement was received under section 252K.704.

37 Sec. \_\_\_\_\_. NEW SECTION. 252K.709 Partial  
38 enforcement.

39 If a tribunal of this state does not recognize and  
40 enforce a convention support order in its entirety,  
41 it shall enforce any severable part of the order. An  
42 application or direct request may seek recognition and  
43 partial enforcement of a convention support order.

44 Sec. \_\_\_\_\_. NEW SECTION. 252K.710 Foreign support  
45 agreement.

46 1. Except as otherwise provided in subsections 3  
47 and 4, a tribunal of this state shall recognize and  
48 enforce a foreign support agreement registered in this  
49 state.

50 2. An application or direct request for recognition

1 and enforcement of a foreign support agreement must be  
2 accompanied by:

3 a. A complete text of the foreign support  
4 agreement.

5 b. A record stating that the foreign support  
6 agreement is enforceable as an order of support in the  
7 issuing country.

8 3. A tribunal of this state may vacate the  
9 registration of a foreign support agreement only  
10 if, acting on its own motion, the tribunal finds  
11 that recognition and enforcement would be manifestly  
12 incompatible with public policy.

13 4. In a contest of a foreign support agreement,  
14 a tribunal of this state may refuse recognition and  
15 enforcement of the agreement if it finds any of the  
16 following:

17 a. Recognition and enforcement of the agreement is  
18 manifestly incompatible with public policy.

19 b. The agreement was obtained by fraud or  
20 falsification.

21 c. The agreement is incompatible with a support  
22 order involving the same parties and having the same  
23 purpose in this state, another state, or a foreign  
24 country if the support order is entitled to recognition  
25 and enforcement under this chapter in this state.

26 d. The record submitted under subsection 2 lacks  
27 authenticity or integrity.

28 5. A proceeding for recognition and enforcement  
29 of a foreign support agreement must be suspended  
30 during the pendency of a challenge to or appeal of  
31 the agreement before a tribunal of another state or a  
32 foreign country.

33 Sec. \_\_\_\_\_. NEW SECTION. 252K.711 Modification of  
34 convention child support order.

35 1. A tribunal of this state may not modify a  
36 convention child support order if the obligee remains a  
37 resident of the foreign country where the support order  
38 was issued unless any of the following applies:

39 a. The obligee submits to the jurisdiction of  
40 a tribunal of this state, either expressly or by  
41 defending on the merits of the case without objecting  
42 to the jurisdiction at the first available opportunity.

43 b. The foreign tribunal lacks or refuses to  
44 exercise jurisdiction to modify its support order or  
45 issue a new support order.

46 2. If a tribunal of this state does not modify a  
47 convention child support order because the order is not  
48 recognized in this state, section 252K.708, subsection  
49 3, applies.

50 Sec. \_\_\_\_\_. NEW SECTION. 252K.712 Personal

1 information ---- limit on use.

2 Personal information gathered or transmitted under  
3 this article may be used only for the purposes for  
4 which it was gathered or transmitted.

5 Sec. \_\_\_\_\_. NEW SECTION. 252K.713 Record in original  
6 language ---- English translation.

7 A record filed with a tribunal of this state under  
8 this article must be in the original language and,  
9 if not in English, must be accompanied by an English  
10 translation.

11 Sec. \_\_\_\_\_. Section 252K.801, subsection 2, paragraph  
12 b, Code 2015, is amended to read as follows:

13 b. On the demand ~~by~~ of the governor of another  
14 state, surrender an individual found in this state who  
15 is charged criminally in the other state with having  
16 failed to provide for the support of an obligee.

17 Sec. \_\_\_\_\_. Section 252K.802, subsections 1 and 2,  
18 Code 2015, are amended to read as follows:

19 1. Before making a demand that the governor  
20 of another state surrender an individual charged  
21 criminally in this state with having failed to provide  
22 for the support of an obligee, the governor of this  
23 state may require a prosecutor of this state to  
24 demonstrate that at least sixty days previously the  
25 obligee had initiated proceedings for support pursuant  
26 to this chapter or that the proceeding would be of no  
27 avail.

28 2. If, under this chapter, or a law substantially  
29 similar to this chapter, ~~the Uniform Reciprocal~~  
30 ~~Enforcement of Support Act, or the Revised Uniform~~  
31 ~~Reciprocal Enforcement of Support Act,~~ the governor  
32 of another state makes a demand that the governor of  
33 this state surrender an individual charged criminally  
34 in that state with having failed to provide for the  
35 support of a child or other individual to whom a  
36 duty of support is owed, the governor may require a  
37 prosecutor to investigate the demand and report whether  
38 a proceeding for support has been initiated or would  
39 be effective. If it appears that a proceeding would  
40 be effective but has not been initiated, the governor  
41 may delay honoring the demand for a reasonable time to  
42 permit the initiation of a proceeding.

43 Sec. \_\_\_\_\_. Section 252K.901, Code 2015, is amended  
44 to read as follows:

45 252K.901 Uniformity of application and construction.  
46 ~~This chapter shall be applied and construed In~~  
47 applying and construing this uniform Act, consideration  
48 must be given to the need to effectuate its general  
49 ~~purpose to make uniform~~ promote uniformity of the law  
50 ~~with respect to the subject of this chapter~~ matter

1 among states ~~enacting~~ that enact it.

2 Sec. \_\_\_\_\_. Section 252K.903, Code 2015, is amended  
3 to read as follows:

4 252K.903 Severability ~~clause~~.

5 If any provision of this chapter or its application  
6 to any person or circumstance is held invalid,  
7 the invalidity does not affect other provisions or  
8 application of this chapter which can be given effect  
9 without the invalid provision or application, and to  
10 this end the provisions of this chapter are severable.

11 Sec. \_\_\_\_\_. Section 252K.904, Code 2015, is amended  
12 to read as follows:

13 252K.904 Effective date ---- pending matters.

14 1. This chapter takes effect ~~January 1, 1998~~ July  
15 1, 2015.

16 2. A tribunal of this state shall apply this  
17 chapter beginning ~~January 1, 1998~~ July 1, 2015, with  
18 the following conditions:

19 a. Matters pending on ~~January 1, 1998~~ July 1, 2015,  
20 shall be governed by this chapter.

21 b. Pleadings and accompanying documents on pending  
22 matters are sufficient if the documents substantially  
23 comply with the requirements of this chapter ~~252A~~ in  
24 effect on ~~December 31, 1997~~ June 30, 2015.

25 Sec. \_\_\_\_\_. REPEAL. Section 252K.902, Code 2015, is  
26 repealed.

27 Sec. \_\_\_\_\_. CODE EDITOR DIRECTIVES. The Code editor  
28 shall do all of the following:

29 1. Eliminate the part designations and titles under  
30 Article 2 of chapter 252K.

31 2. Retitle Article 4 of chapter 252K "Establishment  
32 of support order or determination of parentage".

33 3. Retitle Article 5 of chapter 252K "Enforcement  
34 of support order without registration".

35 4. Retitle Article 6 of chapter 252K "Registration,  
36 enforcement, and modification of support order".

37 5. Retitle Article 6, part 1, of chapter 252K  
38 "Registration for enforcement of support order".

39 6. Retitle Article 6, part 3, of chapter 252K  
40 "Registration and modification of child support order  
41 of another state".

42 7. Create a new part 4 of Article 6 of chapter  
43 252K, entitled "Registration and modification of  
44 foreign child support order" which shall include  
45 sections 252K.615 and 252K.616, as enacted in this Act.

46 8. Retitle Article 7 of chapter 252K "Support  
47 proceeding under convention", which shall include  
48 sections 252K.701, 252K.702, 252K.703, 252K.704,  
49 252K.705, 252K.706, 252K.707, 252K.708, 252K.709,  
50 252K.710, 252K.711, 252K.712, and 252K.713, as amended

1 and enacted in this Act.

2 DIVISION \_\_\_\_\_

3 CONFORMING CHANGES ---- UNIFORM INTERSTATE FAMILY SUPPORT  
4 ACT

5 Sec. \_\_\_\_\_. Section 252A.2, subsection 10, Code 2015,  
6 is amended by striking the subsection.

7 Sec. \_\_\_\_\_. Section 252A.3, subsection 9, Code 2015,  
8 is amended to read as follows:

9 9. Notwithstanding the fact that the respondent has  
10 obtained in any state or foreign country a final decree  
11 of divorce or separation from the respondent's spouse  
12 or a decree dissolving the marriage, the respondent  
13 shall be deemed legally liable for the support of any  
14 dependent child of such marriage.

15 Sec. \_\_\_\_\_. Section 252A.3, subsection 10, paragraph  
16 d, Code 2015, is amended to read as follows:

17 d. By establishment of paternity in ~~a~~ another state  
18 or foreign jurisdiction country in any manner provided  
19 for by the laws of that jurisdiction.

20 Sec. \_\_\_\_\_. Section 252A.6A, subsection 2, paragraph  
21 b, Code 2015, is amended to read as follows:

22 b. If the prior determination of paternity is  
23 based on an administrative or court order or by any  
24 other means, pursuant to the laws of ~~a~~ another state  
25 or foreign jurisdiction country, an action to overcome  
26 the prior determination of paternity shall be filed  
27 in that jurisdiction. Unless the party requests and  
28 is granted a stay of an action to establish child or  
29 medical support, the action shall proceed as otherwise  
30 provided.

31 Sec. \_\_\_\_\_. Section 252A.18, Code 2015, is amended to  
32 read as follows:

33 252A.18 Registration of ~~foreign~~ support order ----  
34 notice.

35 Registration of a support order of another state or  
36 foreign support order country shall be in accordance  
37 with chapter 252K except that, with regard to service,  
38 promptly upon registration, the clerk of the court  
39 shall ~~send a notice~~, by restricted certified mail, or  
40 the child support recovery unit shall, as provided in  
41 section 252B.26, send to the respondent, notice of the  
42 registration with a copy of the registered support  
43 order or the respondent may be personally served with  
44 the notice and the copy of the order in the same manner  
45 as original notices are personally served. The clerk  
46 shall also docket the case and notify the prosecuting  
47 attorney of the action. The clerk shall maintain a  
48 registry of all support orders registered pursuant to  
49 this section. The filing is in equity.

50 Sec. \_\_\_\_\_. Section 252B.1, subsection 6, Code 2015,

1 is amended to read as follows:

2 6. "Obligor" means the person legally responsible  
3 for the support of a child as defined in section  
4 252D.16 or 598.1 under a support order issued in this  
5 state or a pursuant to the laws of another state or  
6 foreign jurisdiction country.

7 Sec. \_\_\_\_\_. Section 252B.3, subsection 4, paragraph  
8 b, Code 2015, is amended to read as follows:

9 b. This subsection shall not apply unless all the  
10 children for whom support is ordered reside with both  
11 parents, except that a child may be absent from the  
12 home due to a foster care placement pursuant to chapter  
13 234 or a comparable law of a another state or foreign  
14 jurisdiction country.

15 Sec. \_\_\_\_\_. Section 252B.4, subsection 5, paragraph  
16 b, Code 2015, is amended to read as follows:

17 b. A foreign ~~reciprocating country or foreign~~  
18 ~~country with which the state has an arrangement as~~  
19 ~~provided in 42 U.S.C. (659a as defined in chapter 252K.~~

20 Sec. \_\_\_\_\_. Section 252B.9, subsection 3, paragraph  
21 i, subparagraphs (4) and (7), Code 2015, are amended  
22 to read as follows:

23 (4) The unit receives ~~notification that a copy,~~  
24 regular on its face, of a notarized affidavit or a  
25 pleading, which was signed by and made under oath by  
26 a party, under chapter 252K, the uniform interstate  
27 family support Act, or the comparable law of another  
28 state, alleging the health, safety, or liberty of the  
29 party or child would be jeopardized by the disclosure  
30 of specific identifying information unless a tribunal  
31 ~~has issued an order~~ under chapter 252K, the uniform  
32 interstate family support Act, or the comparable law  
33 of another state, ~~that the address or other ordered~~  
34 the identifying information of a party or child not be  
35 disclosed.

36 (7) The unit receives notification, as the result  
37 of a request under section 252B.9A, of the existence of  
38 any finding, order, affidavit, pleading, safety plan,  
39 or founded allegation referred to in subparagraphs (1)  
40 through (6) of this paragraph.

41 Sec. \_\_\_\_\_. Section 252B.14, Code 2015, is amended to  
42 read as follows:

43 252B.14 Support payments ---- collection services  
44 center or comparable government entity in another state  
45 ---- clerk of the district court.

46 1. For the purposes of this section, "support  
47 order" includes any order entered pursuant to chapter  
48 234, 252A, 252C, 598, 600B, or any other support  
49 chapter or proceeding which establishes support  
50 payments as defined in section 252D.16 or 598.1.



1     2. For support orders being enforced by the child  
2 support recovery unit, support payments made pursuant  
3 to the order shall be directed to and disbursed by  
4 the collection services center or, as appropriate,  
5 a comparable government entity in another state as  
6 provided in chapter 252K.

7     3. With the exception of support payments to which  
8 subsection 2 or 4 applies, support payments made  
9 pursuant to an order shall be directed to and disbursed  
10 by the clerk of the district court in the county in  
11 which the order for support is filed. The clerk of  
12 the district court may require the obligor to submit  
13 payments by bank draft or money order if the obligor  
14 submits an insufficient funds support payment to the  
15 clerk of the district court.

16     4. ~~By October 1, 1999, for~~ For a support order to  
17 which subsection 2 does not apply, regardless of the  
18 terms of the support order directing or redirecting  
19 the place of payment, support payments made through  
20 income withholding by a payor of income as provided  
21 in chapter 252D shall be directed to and disbursed  
22 by the collection services center or, as appropriate,  
23 a comparable government entity in another state as  
24 provided in chapter 252K. The judicial branch and the  
25 department shall develop and implement a plan to notify  
26 payors of income of this requirement and the effective  
27 date of the requirement applicable to the respective  
28 payor of income.

29     5. If the collection services center is receiving  
30 and disbursing payments pursuant to a support order,  
31 but the unit is not providing other services under Tit.  
32 IV-D of the federal Social Security Act, or if the  
33 order is not being enforced by the unit, the parties to  
34 that order are not considered to be receiving services  
35 under this chapter.

36     6. Payments to persons other than the clerk of the  
37 district court or the collection services center or, as  
38 appropriate, a comparable government entity in another  
39 state as provided in chapter 252K, do not satisfy  
40 the support obligations created by a support order or  
41 judgment, except as provided for in sections 598.22 and  
42 598.22A.

43     Sec. \_\_\_\_\_. Section 252B.15, Code 2015, is amended to  
44 read as follows:

45     252B.15 Processing and disbursement of support  
46 payments.

47     1. The collection services center shall notify  
48 the clerk of the district court of any order for  
49 which the child support recovery unit is providing  
50 enforcement services. The clerk of the district court

1 shall forward any support payment made pursuant to the  
2 order, along with any support payment information, to  
3 the collection services center. Unless the agreement  
4 developed pursuant to section 252B.13A otherwise  
5 provides, ~~by October 1, 1999,~~ the clerk of the district  
6 court shall forward any support payment made and any  
7 support payment information provided through income  
8 withholding pursuant to chapter 252D, to the collection  
9 services center. The collection services center shall  
10 process and disburse the payment in accordance with  
11 federal requirements.

12 2. Unless otherwise provided under federal law,  
13 if it is possible to identify the support order to  
14 which a payment is to be applied and if sufficient  
15 information is provided to identify the obligee, a  
16 payment received by the collection services center or  
17 the clerk of the district court shall be disbursed to  
18 the appropriate individual or office within two working  
19 days in accordance with section 598.22.

20 3. If the collection services center receives an  
21 incorrectly submitted payment, the collection services  
22 center shall promptly return the payment to the sender  
23 and, if known, provide information about where to send  
24 the payment.

25 4. Chapter 556 shall not apply to payments received  
26 by the collection services center.

27 Sec. \_\_\_\_\_. Section 252B.16, Code 2015, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 4. As provided in sections  
30 252K.307 and 252K.319, the unit may issue and file with  
31 the clerk of the district court, a notice redirecting  
32 support payments to a comparable government entity  
33 responsible for the processing and disbursement of  
34 support payments in another state. The unit shall  
35 send a copy of the notice by regular mail to the last  
36 known addresses of the obligor and obligee and, where  
37 applicable, shall notify the payor of income to make  
38 payments as specified in the notice. The issuance and  
39 filing of the notice is the equivalent of a court order  
40 redirecting support.

41 Sec. \_\_\_\_\_. Section 252C.1, subsection 3, Code 2015,  
42 is amended to read as follows:

43 3. "Court order" means a judgment or order ~~of a~~  
44 ~~court of this state or another state~~ requiring the  
45 payment of a set or determinable amount of monetary  
46 support. For orders entered on or after July 1, 1990,  
47 unless the court specifically orders otherwise, medical  
48 support, as defined in section 252E.1, is not included  
49 in the amount of monetary support.

50 Sec. \_\_\_\_\_. Section 252C.4, subsection 1, paragraph

1 c, Code 2015, is amended to read as follows:

2 c. If the action is the result of a request from  
3 ~~a another state or foreign jurisdiction~~ country to  
4 establish support by a responsible person located in  
5 Iowa, in the county in which the responsible person  
6 resides.

7 Sec. \_\_\_\_\_. Section 252C.4, subsection 7, paragraph  
8 b, Code 2015, is amended to read as follows:

9 b. If the prior determination of paternity is based  
10 on an administrative or court order or other means,  
11 pursuant to the laws of ~~a another state or foreign~~  
12 ~~jurisdiction~~ country, an action to overcome the prior  
13 determination of paternity shall be filed in that  
14 jurisdiction. Unless the responsible person requests  
15 and is granted a stay of an action initiated under  
16 this chapter to establish child or medical support,  
17 the action shall proceed as otherwise provided by this  
18 chapter.

19 Sec. \_\_\_\_\_. Section 252D.1, Code 2015, is amended to  
20 read as follows:

21 252D.1 Delinquent support payments.

22 If support payments ordered under this chapter or  
23 chapter 232, 234, 252A, 252C, 252E, 252F, 598, 600B,  
24 or any other applicable chapter, or under a comparable  
25 statute of ~~a another state or foreign jurisdiction~~  
26 ~~country~~, as certified to the child support recovery  
27 unit established in section 252B.2, are not paid to the  
28 clerk of the district court or the collection services  
29 center pursuant to section 598.22 or, as appropriate,  
30 a comparable government entity in another state as  
31 provided in chapter 252K, and become delinquent in an  
32 amount equal to the payment for one month, the child  
33 support recovery unit may enter an ex parte order or,  
34 upon application of a person entitled to receive the  
35 support payments, the district court may enter an ex  
36 parte order, notifying the person whose income is to  
37 be withheld, of the delinquent amount, of the amount  
38 of income to be withheld, and of the procedure to file  
39 a motion to quash the order for income withholding,  
40 and ordering the withholding of specified sums to be  
41 deducted from the delinquent person's income as defined  
42 in section 252D.16 sufficient to pay the support  
43 obligation and, except as provided in section 598.22,  
44 requiring the payment of such sums to the clerk of  
45 the district court or the collection services center  
46 or, as appropriate, a comparable government entity in  
47 another state as provided in chapter 252K. ~~Beginning~~  
48 ~~October 1, 1999, all~~ All income withholding payments  
49 shall be paid to the collection services center or, as  
50 appropriate, a comparable government entity in another

1 state as provided in chapter 252K. Notification of  
2 income withholding shall be provided to the obligor and  
3 to the payor of income pursuant to section 252D.17.

4 Sec. \_\_\_\_\_. Section 252D.16, subsection 3, Code 2015,  
5 is amended to read as follows:

6 3. "Support" or "support payments" means any  
7 amount which the court or administrative agency may  
8 require a person to pay for the benefit of a child  
9 under a temporary order or a final judgment or decree  
10 entered under chapter 232, 234, 252A, 252C, 252F,  
11 252H, 598, 600B, or any other comparable chapter,  
12 and may include child support, maintenance, medical  
13 support as defined in chapter 252E, spousal support,  
14 and any other term used to describe these obligations.  
15 These obligations may include support for a child  
16 of any age who is dependent on the parties to the  
17 dissolution proceedings because of physical or mental  
18 disability. The obligations may include support for  
19 a child eighteen or more years of age with respect to  
20 whom a child support order has been issued pursuant to  
21 the laws of a another state or foreign jurisdiction  
22 country. These obligations shall not include amounts  
23 for a postsecondary education subsidy as defined in  
24 section 598.1.

25 Sec. \_\_\_\_\_. Section 252D.16A, Code 2015, is amended  
26 to read as follows:

27 252D.16A Income withholding order ---- child support  
28 recovery unit.

29 If support payments are ordered under this chapter,  
30 chapter 232, 234, 252A, 252C, 252E, 252F, 252H, 598,  
31 600B, or any other applicable chapter, or under a  
32 comparable statute of a another state or foreign  
33 jurisdiction country, and if income withholding  
34 relative to such support payments is allowed under this  
35 chapter, the child support recovery unit may enter an  
36 ex parte order notifying the person whose income is to  
37 be withheld of the procedure to file a motion to quash  
38 the order for income withholding, and ordering the  
39 withholding of sums to be deducted from the delinquent  
40 person's income as defined in section 252D.16  
41 sufficient to pay the support obligation and requiring  
42 the payment of such sums to the collection services  
43 center or, as appropriate, a comparable government  
44 entity in another state as provided in chapter 252K.

45 The child support recovery unit shall include the  
46 amount of any delinquency and the amount to be withheld  
47 in the notice provided to the obligor pursuant to  
48 section 252D.17A. Notice of income withholding shall  
49 be provided to the obligor and to the payor of income  
50 pursuant to sections 252D.17 and 252D.17A.

1 Sec. \_\_\_\_\_. Section 252D.17, subsection 1, paragraphs  
2 e, f, and h, Code 2015, are amended to read as follows:

3 e. The payor shall send the amounts withheld to the  
4 collection services center or the clerk of the district  
5 court pursuant to section 252B.14 or, as appropriate,  
6 a comparable government entity in another state as  
7 provided in chapter 252K, within seven business days  
8 of the date the obligor is paid. "Business day" means  
9 a day on which state offices are open for regular  
10 business.

11 f. The payor may combine amounts withheld from the  
12 obligors' income in a single payment to the clerk of  
13 the district court or to the collection services center  
14 or a comparable government entity in another state as  
15 provided in chapter 252K, as appropriate. Whether  
16 combined or separate, payments shall be identified by  
17 the name of the obligor, account number, amount, and  
18 the date withheld. If payments for multiple obligors  
19 are combined, the portion of the payment attributable  
20 to each obligor shall be specifically identified.

21 h. If the payor, with actual knowledge and intent  
22 to avoid legal obligation, fails to withhold income or  
23 to pay the amounts withheld to the collection services  
24 center or the clerk of court or, as appropriate,  
25 a comparable government entity in another state  
26 as provided in chapter 252K in accordance with the  
27 provisions of the order, the notice of the order,  
28 or the notification of payors of income provisions  
29 established in section 252B.13A, the payor commits a  
30 simple misdemeanor for a first offense and is liable  
31 for the accumulated amount which should have been  
32 withheld, together with costs, interest, and reasonable  
33 attorney fees related to the collection of the amounts  
34 due from the payor. For each subsequent offense  
35 prescribed under this paragraph, the payor commits a  
36 serious misdemeanor and is liable for the accumulated  
37 amount which should have been withheld, together with  
38 costs, interest, and reasonable attorney fees related  
39 to the collection of the amounts due from the payor.

40 Sec. \_\_\_\_\_. Section 252D.18, subsection 3, Code 2015,  
41 is amended to read as follows:

42 3. The court or the child support recovery unit  
43 may, by ex parte order, terminate an income withholding  
44 order when the current support obligation has  
45 terminated and when the delinquent support obligation  
46 has been fully satisfied as applicable to all of the  
47 children covered by the income withholding order.  
48 The unit may, by ex parte order, terminate an income  
49 withholding order when the unit will no longer be  
50 providing services under chapter 252B, or when a

1 another state or foreign jurisdiction country will  
2 be providing services under Tit. IV-D of the federal  
3 Social Security Act or a comparable law in a foreign  
4 country.

5 Sec. \_\_\_\_\_. Section 252D.20, Code 2015, is amended to  
6 read as follows:

7 252D.20 Administration of income withholding  
8 procedures.

9 The child support recovery unit is designated as the  
10 entity of the state to administer income withholding in  
11 accordance with the procedures specified for keeping  
12 adequate records to document, track, and monitor  
13 support payments on cases subject to Tit. IV-D of the  
14 federal Social Security Act. ~~Until October 1, 1999,~~  
15 ~~the clerks of the district court are designated as~~  
16 ~~the entities for administering income withholding on~~  
17 ~~cases which are not subject to Tit. IV-D. Beginning~~  
18 ~~October 1, 1999, the~~ The collection services center  
19 is designated as the entity for administering  
20 income withholding for cases which are not subject  
21 to Tit. IV-D. The collection services center's  
22 responsibilities for administering income withholding  
23 in cases not subject to Tit. IV-D are limited to  
24 the receipt, recording, and disbursement of income  
25 withholding payments and to responding to requests for  
26 information on the current status of support payments  
27 pursuant to section 252B.13A. Notwithstanding section  
28 622.53, in cases where the court or the child support  
29 recovery unit is enforcing a an order of another state  
30 or foreign judgment country through income withholding,  
31 a certified copy of the underlying judgment is  
32 sufficient proof of authenticity.

33 Sec. \_\_\_\_\_. Section 252D.24, Code 2015, is amended to  
34 read as follows:

35 252D.24 Applicability to support orders of ~~foreign~~  
36 other jurisdictions.

37 1. An income withholding order may be entered to  
38 enforce a support order of a another state or foreign  
39 jurisdiction country. ~~The foreign~~ That support order  
40 may be entered and filed with the clerk of the district  
41 court at the time the income withholding order is  
42 entered. Entry of the ~~foreign~~ support order of another  
43 state or foreign country under this subsection does not  
44 constitute registration of the order.

45 2. Income withholding for a support order issued  
46 by a another state or foreign jurisdiction country is  
47 governed by chapter 252K, ~~article 5 or 6,~~ and this  
48 chapter, as appropriate.

49 Sec. \_\_\_\_\_. Section 252D.31, subsection 3, Code 2015,  
50 is amended to read as follows:

1 3. The payor shall withhold and transmit the amount  
2 specified in the order or notice of the order of income  
3 withholding to the clerk of the district court or the  
4 collection services center or a comparable government  
5 entity in another state as provided in chapter 252K, as  
6 appropriate, until the notice that a motion to quash  
7 has been granted is received.

8 Sec. \_\_\_\_\_. Section 252E.1, subsections 3 and 13,  
9 Code 2015, are amended to read as follows:

10 3. "Child" means a person for whom child or medical  
11 support may be ordered pursuant to chapter 234, 239B,  
12 252A, 252C, 252F, 252H, 252K, 598, 600B, or any other  
13 chapter of the Code or pursuant to a comparable statute  
14 of ~~a~~ another state or foreign jurisdiction country.

15 13. "Order" means a support order entered pursuant  
16 to chapter 234, 252A, 252C, 252F, 252H, 252K, 598,  
17 600B, or any other support chapter, or pursuant to  
18 a comparable statute of ~~a~~ another state or foreign  
19 jurisdiction country, or an ex parte order entered  
20 pursuant to section 252E.4. "Order" also includes a  
21 notice of such an order issued by the department.

22 Sec. \_\_\_\_\_. Section 252E.2, subsection 4, Code 2015,  
23 is amended to read as follows:

24 4. A medical support order of ~~a~~ another state or  
25 foreign jurisdiction country may be entered or filed  
26 with the clerk of the district court. However, entry  
27 of such a medical support order under this subsection  
28 does not constitute registration of that medical  
29 support order.

30 Sec. \_\_\_\_\_. Section 252F.3, subsection 3, paragraph  
31 a, subparagraph (3), Code 2015, is amended to read as  
32 follows:

33 (3) If the action is the result of a request  
34 from ~~a~~ another state or foreign jurisdiction country  
35 to establish paternity of a putative father located  
36 in Iowa, in the county in which the putative father  
37 resides.

38 Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraph  
39 f, Code 2015, is amended to read as follows:

40 f. An original copy of the test results shall  
41 be filed with the clerk of the district court in the  
42 county where the notice was filed. The child support  
43 recovery unit shall issue a copy of the filed test  
44 results to each party in person, or by regular mail  
45 to the last known address of each, or if applicable,  
46 to the last known address of the attorney for each.  
47 However, if the action is the result of a request  
48 from ~~a~~ another state or foreign jurisdiction country,  
49 the unit shall issue a copy of the results to the  
50 initiating agency in that ~~foreign~~ jurisdiction.



1 Sec. \_\_\_\_\_. Section 252H.2, subsection 2, paragraphs  
2 g, l, and m, Code 2015, are amended to read as follows:

3 g. "Determination of controlling order" means the  
4 process of identifying a child support order which  
5 must be recognized pursuant to section 252K.207 and 28  
6 U.S.C. {1738B, when more than one state has issued a  
7 support order for the same child and the same obligor,  
8 and may include a reconciliation of arrearages with  
9 information related to the calculation. Registration  
10 of ~~a foreign~~ an order of another state or foreign  
11 country is not necessary for a court or the unit to  
12 make a determination of controlling order.

13 1. "State" means "state" as defined in ~~section~~  
14 ~~252K.101~~ chapter 252K.

15 m. "Support order" means an order for support  
16 issued pursuant to chapter 232, 234, 252A, 252C, 252E,  
17 252F, 252H, 598, 600B, or any other applicable chapter,  
18 or under a comparable statute of ~~a~~ another state or  
19 foreign jurisdiction country as registered with the  
20 clerk of court or certified to the child support  
21 recovery unit.

22 Sec. \_\_\_\_\_. Section 252H.8, subsection 5, paragraph  
23 h, Code 2015, is amended to read as follows:

24 h. A certified copy of each order, issued by  
25 another state or foreign country, considered in  
26 determining the controlling order.

27 Sec. \_\_\_\_\_. Section 252H.14, subsection 2, Code 2015,  
28 is amended to read as follows:

29 2. The unit may periodically initiate a request to  
30 a child support agency of another state or to a foreign  
31 country to conduct a review of a support order ~~entered~~  
32 ~~in that state~~ when the right to any ongoing child or  
33 medical support obligation due under the order is  
34 currently assigned to the state of Iowa or if the order  
35 does not include provisions for medical support.

36 Sec. \_\_\_\_\_. Section 252I.2, subsection 2, Code 2015,  
37 is amended to read as follows:

38 2. An obligor is subject to the provisions of this  
39 chapter if the obligor's support obligation is being  
40 enforced by the child support recovery unit, and if  
41 the support payments ordered under chapter 232, 234,  
42 252A, 252C, 252D, 252E, 252F, 598, 600B, or any other  
43 applicable chapter, or under a comparable statute  
44 of ~~a~~ another state or foreign jurisdiction country,  
45 as certified to the child support recovery unit, are  
46 not paid to the clerk of the district court or the  
47 collection services center pursuant to section 598.22  
48 and become delinquent in an amount equal to the support  
49 payment for one month.

50 Sec. \_\_\_\_\_. Section 252J.1, subsection 9, Code 2015,

1 is amended to read as follows:

2 9. "Support order" means an order for support  
3 issued pursuant to chapter 232, 234, 252A, 252C, 252D,  
4 252E, 252F, 252H, 598, 600B, or any other applicable  
5 chapter, or under a comparable statute of a another  
6 state or foreign jurisdiction country as registered  
7 with the clerk of the district court or certified to  
8 the child support recovery unit.

9 Sec. \_\_\_\_\_. Section 252J.6, subsection 2, paragraph  
10 d, subparagraph (1), subparagraph division (b), Code  
11 2015, is amended to read as follows:

12 (b) If the action is a result of section 252J.2,  
13 subsection 2, paragraph "b", and the individual is not  
14 an obligor, in the county in which the dependent child  
15 or children reside if the child or children reside in  
16 Iowa; in the county in which the dependent child or  
17 children last received public assistance if the child  
18 or children received public assistance in Iowa; or  
19 in the county in which the individual resides if the  
20 action is the result of a request from a child support  
21 agency in a another state or foreign jurisdiction  
22 country.

23 Sec. \_\_\_\_\_. Section 252J.9, subsection 1, paragraph  
24 b, Code 2015, is amended to read as follows:

25 b. If the action is a result of section 252J.2,  
26 subsection 2, paragraph "b", and the individual is not  
27 an obligor, in a county in which the dependent child  
28 or children reside if the child or children reside in  
29 Iowa; in the county in which the dependent child or  
30 children last received public assistance if the child  
31 or children received public assistance in Iowa; or  
32 in the county in which the individual resides if the  
33 action is the result of a request from a child support  
34 agency in a another state or foreign jurisdiction  
35 country.

36 Sec. \_\_\_\_\_. Section 598.2A, Code 2015, is amended to  
37 read as follows:

38 598.2A Choice of law.

39 In a proceeding to establish, modify, or enforce a  
40 child support order the forum state's law shall apply  
41 except as follows:

42 ~~1. In interpreting a child support order, a court~~  
43 ~~shall apply the law of the state of the court or~~  
44 ~~administrative agency that issued the order.~~

45 ~~2. In an action to enforce a child support order,~~  
46 ~~a court shall apply the statute of limitations of the~~  
47 ~~forum state or the state of the court or administrative~~  
48 ~~agency that issued the order, whichever statute~~  
49 ~~provides the longer period of limitations provided in~~  
50 section 252K.604.

1 Sec. \_\_\_\_\_. Section 598.21E, subsection 1, paragraph  
2 b, Code 2015, is amended to read as follows:

3 b. If a determination of paternity is based on an  
4 administrative or court order or other means pursuant  
5 to the laws of ~~a another state or foreign jurisdiction~~  
6 country as defined in chapter 252K, any action to  
7 overcome the prior determination of paternity shall  
8 be filed in that jurisdiction. Unless a stay of the  
9 action initiated in this state to establish child or  
10 medical support is requested and granted by the court,  
11 pending a resolution of the contested paternity issue  
12 by the ~~other state or foreign jurisdiction~~ country as  
13 defined in chapter 252K, the action shall proceed.

14 Sec. \_\_\_\_\_. Section 598.22, Code 2015, is amended to  
15 read as follows:

16 598.22 Support payments ---- clerk of court ----  
17 collection services center or comparable government  
18 entity in another state ---- defaults ---- security.

19 1. Except as otherwise provided in section 598.22A,  
20 this section applies to all initial or modified orders  
21 for support entered under this chapter, chapter 234,  
22 252A, 252C, 252F, 600B, or any other chapter of the  
23 Code. All orders or judgments entered under chapter  
24 234, 252A, 252C, 252F, or 600B, or under this chapter  
25 or any other chapter which provide for temporary or  
26 permanent support payments shall direct the payment  
27 of those sums to the clerk of the district court or  
28 the collection services center in accordance with  
29 section 252B.14, or as appropriate, a comparable  
30 government entity in another state as provided in  
31 chapter 252K for the use of the person for whom the  
32 payments have been awarded. ~~Beginning October 1,~~  
33 ~~1999, all~~ All income withholding payments shall be  
34 directed to the collection services center, or as  
35 appropriate, a comparable government entity in another  
36 state as provided in chapter 252K. Payments to  
37 persons other than the clerk of the district court,  
38 ~~and the collection services center, or as appropriate,~~  
39 a comparable government entity in another state as  
40 provided in chapter 252K do not satisfy the support  
41 obligations created by the orders or judgments,  
42 except as provided for trusts governed by the federal  
43 Retirement Equity Act of 1984, Pub. L. No. 98-397, for  
44 tax refunds or rebates in section 602.8102, subsection  
45 47, or for dependent benefits paid to the child support  
46 obligee as the result of disability benefits awarded  
47 to the child support obligor under the federal Social  
48 Security Act. For trusts governed by the federal  
49 Retirement Equity Act of 1984, Pub. L. No. 98-397, the  
50 order for income withholding or notice of the order

1 for income withholding shall require the payment of  
2 such sums to the alternate payee in accordance with the  
3 federal Act. For dependent benefits paid to the child  
4 support obligee as a result of disability benefits  
5 awarded to the child support obligor under the federal  
6 Social Security Act, the provisions of section 598.22C  
7 shall apply.

8 2. An income withholding order or notice of the  
9 order for income withholding shall be entered under the  
10 terms and conditions of chapter 252D. However, for  
11 trusts governed by the federal Retirement Equity Act of  
12 1984, Pub. L. No. 98-397, the payor shall transmit the  
13 payments to the alternate payee in accordance with the  
14 federal Act.

15 3. An order or judgment entered by the court  
16 for temporary or permanent support or for income  
17 withholding shall be filed with the clerk. The orders  
18 have the same force and effect as judgments when  
19 entered in the judgment docket and lien index and are  
20 records open to the public. Unless otherwise provided  
21 by federal law, if it is possible to identify the  
22 support order to which a payment is to be applied, and  
23 if sufficient information identifying the obligee is  
24 provided, the clerk or the collection services center,  
25 as appropriate, shall disburse the payments received  
26 pursuant to the orders or judgments within two working  
27 days of the receipt of the payments. All moneys  
28 received or disbursed under this section shall be  
29 entered in records kept by the clerk, or the collection  
30 services center, as appropriate, and the records kept  
31 by the clerk shall be available to the public. The  
32 clerk or the collection services center shall not  
33 enter any moneys paid in the record book if not paid  
34 directly to the clerk or the center, as appropriate,  
35 except as provided for trusts and federal social  
36 security disability payments in this section, and for  
37 tax refunds or rebates in section 602.8102, subsection  
38 47, or as appropriate, a comparable government entity  
39 in another state as provided in chapter 252K.

40 4. If the sums ordered to be paid in a support  
41 payment order are not paid to the clerk or the  
42 collection services center, or a comparable government  
43 entity in another state as provided in chapter 252K,  
44 as appropriate, at the time provided in the order or  
45 judgment, the clerk or the collection services center,  
46 as appropriate, shall certify a default to the court  
47 which may, on its own motion, proceed as provided in  
48 section 598.23.

49 5. Prompt payment of sums required to be paid under  
50 sections 598.10, 598.21A, 598.21B, 598.21C, 598.21E,

1 and 598.21F is the essence of such orders or judgments  
2 and the court may act pursuant to section 598.23  
3 regardless of whether the amounts in default are paid  
4 prior to the contempt hearing.

5 6. Upon entry of an order for support or upon the  
6 failure of a person to make payments pursuant to an  
7 order for support, the court may require the person to  
8 provide security, a bond, or other guarantee which the  
9 court determines is satisfactory to secure the payment  
10 of the support. Upon the person's failure to pay the  
11 support under the order, the court may declare the  
12 security, bond, or other guarantee forfeited.

13 7. For the purpose of enforcement, medical support  
14 is additional support which, upon being reduced to  
15 a dollar amount, may be collected through the same  
16 remedies available for the collection and enforcement  
17 of child support.

18 8. The clerk of the district court in the county  
19 in which the order for support is filed and to whom  
20 support payments are made pursuant to the order may  
21 require the person obligated to pay support to submit  
22 payments by bank draft or money order if the obligor  
23 submits an insufficient funds support payment to the  
24 clerk of the district court.

25 Sec. \_\_\_\_\_. Section 598.22B, subsection 1, Code 2015,  
26 is amended to read as follows:

27 1. All such orders or judgments shall direct each  
28 party to file with the clerk of court or the child  
29 support recovery unit, as appropriate, upon entry of  
30 the order, and to update as appropriate, information on  
31 location and identity of the party, including social  
32 security number, residential and mailing addresses,  
33 electronic mail address, telephone number, driver's  
34 license number, and name, address, and telephone  
35 number of the party's employer. The order shall also  
36 include a provision that the information filed will be  
37 disclosed and used pursuant to this section. The party  
38 shall file the information with the clerk of court,  
39 or, if all support payments are to be directed to the  
40 collection services center as provided in section  
41 252B.14, subsection 2, and section 252B.16, with the  
42 child support recovery unit.

43 Sec. \_\_\_\_\_. Section 598.23A, subsection 1, Code 2015,  
44 is amended to read as follows:

45 1. If a person against whom an order or decree  
46 for support has been entered pursuant to this chapter  
47 or chapter 234, 252A, 252C, 252F, 600B, or any other  
48 support chapter, or a comparable chapter of a another  
49 state or foreign jurisdiction country as defined in  
50 chapter 252K, fails to make payments or provide medical

1 support pursuant to that order or decree, the person  
2 may be cited and punished by the court for contempt  
3 under section 598.23 or this section. Failure to  
4 comply with a seek employment order entered pursuant to  
5 section 252B.21 is evidence of willful failure to pay  
6 support.

7 Sec. \_\_\_\_\_. Section 600B.41A, subsection 2, paragraph  
8 a, Code 2015, is amended to read as follows:

9 a. A paternity determination made in or by a  
10 another state or foreign jurisdiction country as  
11 defined in chapter 252K or a paternity determination  
12 which has been made in or by a ~~foreign~~ that  
13 jurisdiction and registered in this state in accordance  
14 with section 252A.18 or chapter 252K.

15 Sec. \_\_\_\_\_. Section 602.8102, subsection 47, Code  
16 2015, is amended to read as follows:

17 47. Record support payments made pursuant to an  
18 order entered under chapter 252A, 252F, 598, or 600B,  
19 or under a comparable statute of a another state or  
20 foreign jurisdiction country as defined in chapter  
21 252K, and through setoff of a state or federal income  
22 tax refund or rebate, as if the payments were received  
23 and disbursed by the clerk; forward support payments  
24 received under section 252A.6 to the department  
25 of human services and furnish copies of orders and  
26 decrees awarding support to parties receiving welfare  
27 assistance as provided in section 252A.13.

28 Sec. \_\_\_\_\_. REPEAL. Section 252A.17, Code 2015, is  
29 repealed.

30 DIVISION \_\_\_\_  
31 SUSPENSION OF SUPPORT

32 Sec. \_\_\_\_\_. Section 252B.20, Code 2015, is amended to  
33 read as follows:

34 252B.20 Suspension of support ---- request by mutual  
35 consent.

36 1. If the unit is providing child support  
37 enforcement services pursuant to this chapter, the  
38 parents of a dependent child for whom support has been  
39 ordered pursuant to chapter 252A, 252C, 252F, 598,  
40 600B, or any other chapter, may jointly request the  
41 assistance of the unit in suspending the obligation for  
42 support if all of the following conditions exist:

43 a. The parents have reconciled and are cohabiting,  
44 and the child for whom support is ordered is living  
45 in the same residence as the parents, or the child is  
46 currently residing with the parent who is ordered to  
47 pay support. If the basis for suspension under this  
48 paragraph applies to at least one but not all of the  
49 children for whom support is ordered, the condition  
50 of this paragraph is met only if the support order

1 includes a step change.

2 b. The child for whom support is ordered is not  
3 receiving public assistance pursuant to chapter 239B,  
4 249A, or a comparable law of ~~a another state or foreign~~  
5 ~~jurisdiction country~~, unless the person against whom  
6 support is ordered is considered to be a member of the  
7 same household as the child for the purposes of public  
8 assistance eligibility.

9 c. The parents have signed a notarized affidavit  
10 attesting to the conditions under paragraphs "a" and  
11 "b", have consented to suspension of the support order  
12 or obligation, and have submitted the affidavit to the  
13 unit.

14 d. No prior request for suspension has been filed  
15 with the unit under this section and no prior request  
16 for suspension has been served by the unit under  
17 section 252B.20A during the two-year period preceding  
18 ~~the request, unless the request was filed during the~~  
19 ~~two-year period preceding July 1, 2005, the unit denied~~  
20 ~~the request because the suspension did not apply to all~~  
21 ~~children for whom support is ordered, and the parents~~  
22 ~~jointly file a request on or after July 1, 2005.~~

23 e. Any other criteria established by rule of the  
24 department.

25 2. Upon receipt of the application for suspension  
26 and properly executed and notarized affidavit, the unit  
27 shall review the application and affidavit to determine  
28 that the necessary criteria have been met. The unit  
29 shall then do one of the following:

30 a. Deny the request and notify the parents in  
31 writing that the application is being denied, providing  
32 reasons for the denial and notifying the parents of  
33 the right to proceed through private counsel. Denial  
34 of the application is not subject to contested case  
35 proceedings or further review pursuant to chapter 17A.

36 b. Approve the request and prepare an order which  
37 shall be submitted, along with the affidavit, to a  
38 judge of a district court for approval, suspending  
39 the accruing support obligation and, if requested by  
40 the obligee, and if not prohibited by chapter 252K,  
41 satisfying the obligation of support due the obligee.  
42 If the basis for suspension applies to at least one but  
43 not all of the children for whom support is ordered  
44 and the support order includes a step change, the  
45 unit shall prepare an order suspending the accruing  
46 support obligation for each child to whom the basis for  
47 suspension applies.

48 3. An order approved by the court for suspension  
49 of an accruing support obligation is effective  
50 upon the date of filing of the suspension order.



1 The satisfaction of an obligation of support due  
2 the obligee shall be final upon the filing of the  
3 suspension order. A support obligation which is  
4 satisfied is not subject to the reinstatement  
5 provisions of this section.

6 4. An order suspending an accruing support  
7 obligation entered by the court pursuant to this  
8 section shall be considered a temporary order for the  
9 period of six months from the date of filing of the  
10 suspension order. However, the six-month period shall  
11 not include any time during which an application for  
12 reinstatement is pending before the court.

13 5. During the six-month period the unit may request  
14 that the court reinstate the accruing support order or  
15 obligation if any of the following conditions exist:

16 a. Upon application to the unit by either parent or  
17 other person who has physical custody of the child.

18 b. Upon the receipt of public assistance benefits,  
19 pursuant to chapter 239B, 249A, or a comparable law of  
20 a another state or foreign jurisdiction country, by the  
21 person entitled to receive support and the child on  
22 whose behalf support is paid, provided that the person  
23 owing the support is not considered to be a member of  
24 the same household as the child for the purposes of  
25 public assistance eligibility.

26 6. If a condition under subsection 5 exists, the  
27 unit may request that the court reinstate an accruing  
28 support obligation as follows:

29 a. If the basis for the suspension no longer  
30 applies to any of the children for whom an accruing  
31 support obligation was suspended, the unit shall  
32 request that the court reinstate the accruing support  
33 obligations for all of the children.

34 b. If the basis for the suspension continues to  
35 apply to at least one but not all of the children for  
36 whom an accruing support obligation was suspended and  
37 if the support order includes a step change, the unit  
38 shall request that the court reinstate the accruing  
39 support obligation for each child for whom the basis  
40 for the suspension no longer applies.

41 7. Upon filing of an application for reinstatement,  
42 service of the application shall be made either in  
43 person or by first class mail upon both parents.  
44 Within ten days following the date of service, the  
45 parents may file a written objection with the clerk  
46 of the district court to the entry of an order for  
47 reinstatement.

48 a. If no objection is filed, the court may enter  
49 an order reinstating the accruing support obligation  
50 without additional notice.

1 b. If an objection is filed, the clerk of court  
2 shall set the matter for hearing and send notice of the  
3 hearing to both parents and the unit.

4 8. The reinstatement is effective as follows:

5 a. For reinstatements initiated under subsection 5,  
6 paragraph "a", the date the notices were served on both  
7 parents pursuant to subsection 7.

8 b. For reinstatements initiated under subsection  
9 5, paragraph "b", the date the child began receiving  
10 public assistance benefits during the suspension of the  
11 obligation.

12 c. Support which became due during the period of  
13 suspension but prior to the reinstatement is waived  
14 and not due and owing unless the parties requested and  
15 agreed to the suspension under false pretenses.

16 9. If the order suspending a support obligation has  
17 been on file with the court for a period exceeding six  
18 months as computed pursuant to subsection 4, the order  
19 becomes final by operation of law and terminates the  
20 support obligation, and thereafter, a party seeking to  
21 establish a support obligation against either party  
22 shall bring a new action for support as provided by  
23 law.

24 10. This section shall not limit the rights of  
25 the parents or the unit to proceed by other means to  
26 suspend, terminate, modify, reinstate, or establish  
27 support.

28 11. This section does not provide for the  
29 suspension or retroactive modification of support  
30 obligations which accrued prior to the entry of  
31 an order suspending enforcement and collection of  
32 support pursuant to this section. However, if in  
33 the application for suspension, an obligee elects  
34 to satisfy an obligation of accrued support due  
35 the obligee, the suspension order may satisfy the  
36 obligation of accrued support due the obligee.

37 12. Nothing in this section shall prohibit or limit  
38 the unit or a party entitled to receive support from  
39 enforcing and collecting any unpaid or unsatisfied  
40 support that accrued prior to the suspension of the  
41 accruing obligation.

42 13. For the purposes of chapter 252H, subchapter  
43 II, regarding the criteria for a review or for  
44 a cost-of-living alteration under chapter 252H,  
45 subchapter IV, if a support obligation is terminated  
46 or reinstated under this section, such termination or  
47 reinstatement shall not be considered a modification  
48 of the support order.

49 14. As used in this section, unless the context  
50 otherwise requires, "step change" means a change

1 designated in a support order specifying the amount of  
2 the child support obligation as the number of children  
3 entitled to support under the order changes.

4 15. As specified in this section, if the child  
5 for whom support is ordered is not receiving public  
6 assistance pursuant to chapter 239B, 249A, or a  
7 comparable law of another state or foreign country,  
8 upon agreement of the parents, the unit may facilitate  
9 the suspension of the child support order or obligation  
10 if the child is residing with a caretaker, who is a  
11 natural person, and who has not requested the unit  
12 to provide services under this chapter. The parents  
13 and the caretaker shall sign a notarized affidavit  
14 attesting to the conditions under this section, consent  
15 to the suspension of the support order or obligation,  
16 and submit the affidavit to the unit. Upon the  
17 receipt of public assistance benefits pursuant to  
18 chapter 239B, 249A, or a comparable law of another  
19 state or foreign country, by the child on whose behalf  
20 support is ordered, or upon application to the unit by  
21 either parent or the caretaker, the unit may, within  
22 the time periods specified in this section, request  
23 the reinstatement of the accruing support order or  
24 obligation pursuant to this section.

25 16. The department may adopt all necessary and  
26 proper rules to administer and interpret this section.

27 Sec. \_\_\_\_ . NEW SECTION. 252B.20A Suspension of  
28 support ---- request by one party.

29 1. If the unit is providing child support  
30 enforcement services pursuant to this chapter, the  
31 obligor who is ordered to pay support for the dependent  
32 child pursuant to chapter 252A, 252C, or 252F, may  
33 request the assistance of the unit in suspending  
34 the obligation for support if all of the following  
35 conditions exist:

36 a. The child is currently residing with the obligor  
37 and has been for more than sixty consecutive days. If  
38 the basis for suspension under this paragraph applies  
39 to at least one but not all of the children for whom  
40 support is ordered, the condition of this paragraph is  
41 met only if the support order includes a step change.

42 b. There is no order in effect regarding legal  
43 custody, physical care, visitation, or other parenting  
44 time for the child.

45 c. It is reasonably expected that the basis for  
46 suspension under this section will continue for not  
47 less than six months.

48 d. The child for whom support is ordered is not  
49 receiving public assistance pursuant to chapter 239B,  
50 249A, or a comparable law of another state or foreign

1 country, unless the obligor is considered to be a  
2 member of the same household as the child for the  
3 purposes of public assistance eligibility.

4 e. The obligor has signed a notarized affidavit,  
5 provided by the unit, attesting to the existence  
6 of the conditions under paragraphs "a" through "d",  
7 has requested suspension of the support order or  
8 obligation, and has submitted the affidavit to the  
9 unit.

10 f. No prior request for suspension has been served  
11 under this section, and no prior request for suspension  
12 has been filed with the unit pursuant to section  
13 252B.20, during the two-year period preceding the  
14 request.

15 g. Any other criteria established by rule of the  
16 department.

17 2. Upon receipt of the application for suspension  
18 and properly executed and notarized affidavit, the unit  
19 shall review the application and affidavit to determine  
20 that the criteria have been met. The unit shall then  
21 do one of the following:

22 a. If the unit determines the criteria have not  
23 been met, deny the request and notify the obligor in  
24 writing that the application is being denied, providing  
25 reasons for the denial and notifying the obligor of  
26 the right to proceed through private counsel. Denial  
27 of the application is not subject to contested case  
28 proceedings or further review pursuant to chapter 17A.

29 b. If the unit determines the criteria have  
30 been met, serve a copy of the notice and supporting  
31 documents on the obligee by any means provided in  
32 section 252B.26. The notice to the obligee shall  
33 include all of the following:

34 (1) Information sufficient to identify the parties  
35 and the support order affected.

36 (2) An explanation of the procedure for suspension  
37 and reinstatement of support under this section.

38 (3) An explanation of the rights and  
39 responsibilities of the obligee, including the  
40 applicable procedural time frames.

41 (4) A statement that within twenty days of service,  
42 the obligee must submit a signed and notarized  
43 response to the unit objecting to at least one of the  
44 assertions in subsection 1, paragraphs "a" through  
45 "d". The statement shall inform the obligee that if,  
46 within twenty days of service, the obligee fails to  
47 submit a response as specified in this subparagraph,  
48 notwithstanding rules of civil procedure 1.972(2) and  
49 1.972(3), the unit will prepare and submit an order as  
50 provided in subsection 3, paragraph "b".

1       3. No sooner than thirty days after service on the  
2 obligee under subsection 2, paragraph "b", the unit  
3 shall do one of the following:

4       a. If the obligee submits a signed and notarized  
5 objection to any assertion in subsection 1, paragraphs  
6 "a" through "d", deny the request and notify the  
7 parties in writing that the application is denied,  
8 providing reasons for the denial, and notifying  
9 the parties of the right to proceed through private  
10 counsel. Denial of the application is not subject to  
11 contested case proceedings or further review pursuant  
12 to chapter 17A.

13       b. If the obligee does not timely submit a signed  
14 and notarized objection to the unit, prepare an  
15 order which shall be submitted, along with supporting  
16 documents, to a judge of a district court for approval,  
17 suspending the accruing support obligation. If the  
18 basis for suspension applies to at least one but  
19 not all of the children for whom support is ordered  
20 and the support order includes a step change, the  
21 unit shall prepare an order suspending the accruing  
22 support obligation for each child to whom the basis for  
23 suspension applies.

24       4. An order approved by the court for suspension of  
25 an accruing support obligation is effective upon the  
26 date of filing of the suspension order.

27       5. An order suspending an accruing support  
28 obligation entered by the court pursuant to this  
29 section shall be considered a temporary order for the  
30 period of six months from the date of filing of the  
31 suspension order. However, the six-month period shall  
32 not include any time during which an application for  
33 reinstatement is pending before the court.

34       6. During the six-month period, the unit may  
35 request that the court reinstate the accruing support  
36 order or obligation if any of the following conditions  
37 exist:

38       a. Upon application to the unit by either party or  
39 other person who has physical custody of the child.

40       b. Upon the receipt of public assistance benefits  
41 pursuant to chapter 239B, 249A, or a comparable law  
42 of another state or foreign country, by the person  
43 entitled to receive support and the child on whose  
44 behalf support is paid, provided that the person owing  
45 the support is not considered to be a member of the  
46 same household as the child for the purposes of public  
47 assistance eligibility.

48       7. If a condition under subsection 6 exists, the  
49 unit may request that the court reinstate an accruing  
50 support obligation as follows:

1 a. If the basis for the suspension no longer  
2 applies to any of the children for whom an accruing  
3 support obligation was suspended, the unit shall  
4 request that the court reinstate the accruing support  
5 obligations for all of the children.

6 b. If the basis for the suspension continues to  
7 apply to at least one but not all of the children for  
8 whom an accruing support obligation was suspended and  
9 if the support order includes a step change, the unit  
10 shall request that the court reinstate the accruing  
11 support obligation for each child for whom the basis  
12 for the suspension no longer applies.

13 8. Upon filing of an application for reinstatement,  
14 service of the application shall be made either in  
15 person or by first class mail upon the parties. Within  
16 ten days following the date of service, a party may  
17 file a written objection with the clerk of the district  
18 court to the entry of an order for reinstatement.

19 a. If no objection is filed, the court may enter  
20 an order reinstating the accruing support obligation  
21 without additional notice.

22 b. If an objection is filed, the clerk of court  
23 shall set the matter for hearing and send notice of the  
24 hearing to the parties and the unit.

25 9. a. The reinstatement is effective as follows:

26 (1) For reinstatements initiated under subsection  
27 6, paragraph "a", the date the notices were served on  
28 the parties pursuant to subsection 8.

29 (2) For reinstatements initiated under subsection  
30 6, paragraph "b", the date the child began receiving  
31 public assistance benefits during the suspension of the  
32 obligation.

33 b. Support which became due during the period of  
34 suspension but prior to the reinstatement is waived and  
35 not due and owing unless the suspension was made under  
36 false pretenses.

37 10. If the order suspending a support obligation  
38 has been on file with the court for a period exceeding  
39 six months as computed pursuant to subsection 5, the  
40 order becomes final by operation of law and terminates  
41 the support obligation, and thereafter, a party seeking  
42 to establish a support obligation against either party  
43 shall bring a new action for support as provided by  
44 law.

45 11. Legal representation of the unit shall be  
46 provided pursuant to section 252B.7, subsection 4.

47 12. This section shall not limit the rights of a  
48 party or the unit to proceed by other means to suspend,  
49 terminate, modify, reinstate, or establish support.

50 13. This section does not provide for the

1 suspension or retroactive modification of support  
2 obligations which accrued prior to the entry of an  
3 order suspending enforcement and collection of support  
4 pursuant to this section.

5 14. Nothing in this section shall prohibit or limit  
6 the unit or a party entitled to receive support from  
7 enforcing and collecting any unpaid or unsatisfied  
8 support that accrued prior to the suspension of the  
9 accruing obligation.

10 15. For the purposes of chapter 252H regarding  
11 the criteria for a review under subchapter II of  
12 that chapter or for a cost-of-living alteration under  
13 subchapter IV of that chapter, if a support obligation  
14 is terminated or reinstated under this section, such  
15 termination or reinstatement shall not be considered a  
16 modification of the support order.

17 16. As used in this section, unless the context  
18 otherwise requires, "step change" means a change  
19 designated in a support order specifying the amount of  
20 the child support obligation as the number of children  
21 entitled to support under the order changes.

22 17. As specified in this section, if the child  
23 for whom support is ordered is not receiving public  
24 assistance pursuant to chapter 239B, 249A, or a  
25 comparable law of another state or foreign country,  
26 upon request by the obligor, the unit may facilitate  
27 the suspension of the child support order or obligation  
28 if the child is residing with a caretaker, who is a  
29 natural person, and who has not requested the unit  
30 to provide services under this chapter. The obligor  
31 and the caretaker shall sign a notarized affidavit  
32 attesting to the conditions under this section, consent  
33 to the suspension of the support order or obligation,  
34 and submit the affidavit to the unit. Upon the  
35 receipt of public assistance benefits pursuant to  
36 chapter 239B, 249A, or a comparable law of another  
37 state or foreign country, by the child on whose behalf  
38 support is ordered, or upon application to the unit by  
39 either party or the caretaker, the unit may, within  
40 the time periods specified in this section, request  
41 the reinstatement of the accruing support order or  
42 obligation pursuant to this section.

43 18. The department may adopt all necessary and  
44 proper rules to administer and interpret this section.

45 Sec. \_\_\_\_\_. Section 252B.26, unnumbered paragraph 1,  
46 Code 2015, is amended to read as follows:

47 Notwithstanding any provision of law to the  
48 contrary, the unit may serve a petition, notice, or  
49 rule to show cause under this chapter or chapter 252A,  
50 252C, 252F, 252H, 252K, 598, or 665 as specified in



1 each chapter, or as follows:

2 Sec. \_\_\_\_\_. ADMINISTRATIVE RULES ----

3 TRANSITION. Until the department of human services  
4 adopts rules pursuant to chapter 17A necessary to  
5 administer this division of this Act, all of the  
6 following shall apply:

7 1. The child support recovery unit may initiate  
8 proceedings to suspend and reinstate support orders in  
9 accordance with section 252B.20, as amended in this  
10 division of this Act.

11 2. The child support recovery unit may, to the  
12 extent appropriate, apply and utilize procedures,  
13 rules, and forms substantially similar to those  
14 applicable and utilized pursuant to section 252B.20  
15 for proceedings initiated in accordance with section  
16 252B.20A, as enacted in this division of this Act.

17 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
18 Act takes effect January 1, 2016.

19 DIVISION \_\_\_\_  
20 GENETIC TESTING

21 Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraph  
22 a, Code 2015, is amended to read as follows:

23 a. If a party contests the establishment of  
24 paternity, the party shall submit, within twenty  
25 days of service of the notice on the party under  
26 subsection 1, a written statement contesting paternity  
27 establishment to the unit. Upon receipt of a written  
28 challenge of paternity establishment, or upon  
29 initiation by the unit, the administrator shall enter  
30 ex parte administrative orders requiring the mother,  
31 child or children involved, and the putative father  
32 to submit to paternity testing, except that if the  
33 mother and child or children previously submitted blood  
34 or genetic specimens in a prior action to establish  
35 paternity against a different putative father, the  
36 previously submitted specimens and prior results, if  
37 available, may be utilized for testing in this action.  
38 Either the mother or putative father may contest  
39 paternity under this chapter.

40 Sec. \_\_\_\_\_. Section 600B.41, subsection 1, Code 2015,  
41 is amended to read as follows:

42 1. In a proceeding to establish paternity in law  
43 or in equity the court may on its own motion, and upon  
44 request of a party shall, require the child, mother,  
45 and alleged father to submit to blood or genetic  
46 tests, except that if the mother and child previously  
47 submitted blood or genetic specimens in a prior action  
48 to establish paternity against a different alleged  
49 father, the previously submitted specimens and prior  
50 results, if available, may be utilized for testing in

**H-1373**

Page 64

1 this action.>

2 2. By renumbering as necessary.

**By** HEDDENS of Story

**H-1373** FILED MAY 20, 2015

SENATE FILE 510

H-1374

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, after line 31 by inserting:

5 <DIVISION \_\_\_\_  
6 AVIAN INFLUENZA

7 Sec. \_\_\_\_ . AVIAN INFLUENZA.

8 1. For the fiscal years beginning July 1, 2014,  
9 and July 1, 2015, the executive council shall receive  
10 requests from the department of agriculture and land  
11 stewardship for the necessary expenses related to  
12 controlling a recognized serotype of the virus commonly  
13 referred to as avian influenza which may be transmitted  
14 to poultry by ensuring the proper disposal of poultry  
15 carcasses due to disinfection and depopulation efforts.  
16 Upon review and after compliance with section 7D.29,  
17 subsection 2, the executive council may approve the  
18 request and may authorize payment of the necessary  
19 expense not to exceed a combined total of \$1,000,000  
20 for both fiscal years. The expense authorized by  
21 the executive council under this section shall be  
22 paid from the appropriations referred to in section  
23 7D.29, subsection 1. If necessary expenses exceed a  
24 combined total of \$1,000,000 for both fiscal years, the  
25 executive council may approve additional moneys for  
26 necessary expenses only if such expenditures have been  
27 authorized by a constitutional majority of each house  
28 of the general assembly or by the legislative council  
29 if the general assembly is not in session.

30 2. From moneys received pursuant to subsection  
31 1, the department of agriculture and land stewardship  
32 shall provide financial assistance to political  
33 subdivisions for purposes of controlling a recognized  
34 serotype of the virus commonly referred to as avian  
35 influenza which may be transmitted to poultry by  
36 ensuring the proper disposal of poultry carcasses due  
37 to disinfection and depopulation efforts.

38 Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. This division  
39 of this Act, being deemed of immediate importance,  
40 takes effect upon enactment.>

41 2. By renumbering as necessary.

By MASCHER of Johnson	H. MILLER of Webster
ABDUL-SAMAD of Polk	PRICHARD of Floyd
ANDERSON of Polk	RUFF of Clayton
BERRY of Black Hawk	STAED of Linn
GASKILL of Wapello	STUTSMAN of Johnson
HANSON of Jefferson	T. TAYLOR of Linn
HUNTER of Polk	THEDE of Scott
KEARNS of Lee	WESSEL-KROESCHELL of Story
LENSING of Johnson	WINCKLER of Scott

H-1374 FILED MAY 20, 2015

SENATE FILE 510

H-1375

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, before line 32 by inserting:

5 <DIVISION \_\_\_\_  
6 HIGH QUALITY JOBS PROGRAM

7 Sec. \_\_\_\_ . Section 15.329, subsection 1, Code 2015,  
8 is amended by adding the following new paragraph:

9 NEW PARAGRAPH. h. (1) If the total incentives or  
10 assistance provided to the business under this part  
11 will exceed five million dollars and if the business  
12 will incur construction costs in excess of one million  
13 dollars for a project that involves the construction or  
14 equipping of a facility of the business, the following  
15 requirements shall be satisfied:

16 (a) The contractors and subcontractors who work  
17 on the project of the business shall comply with all  
18 applicable Iowa laws and rules.

19 (b) The contractors and subcontractors who work  
20 on the project of the business shall operate or  
21 participate in an apprenticeship program for all  
22 applicable apprenticeable occupations. For purposes  
23 of this subparagraph division, "apprenticeship program"  
24 and "apprenticeable occupations" mean the same as  
25 defined in section 15B.2.

26 (2) If it is determined that any provision of  
27 this paragraph would cause the denial of funds from  
28 the United States government which would otherwise  
29 be available to an agency of this state or to the  
30 business, the provisions of this paragraph shall,  
31 insofar as the funds are jeopardized, be deemed to be  
32 inoperative.

33 (3) If any provision of this paragraph or the  
34 application thereof is held invalid, the invalidity  
35 shall not affect other provisions or applications of  
36 this paragraph, this part, or an agreement entered into  
37 under this part that can be given effect without the  
38 invalid provision or application, and to this end, the  
39 provisions of this paragraph are severable.

40 Sec. \_\_\_\_ . APPLICABILITY. This division of this  
41 Act applies to businesses that receive an award of  
42 incentives or assistance under the high quality jobs  
43 program on or after July 1, 2015, and businesses that  
44 received an award of incentives or assistance under the  
45 high quality jobs program before July 1, 2015, shall be  
46 governed by section 15.329, subsection 1, Code 2015.>

47 2. By renumbering as necessary.

**By** KEARNS of Lee  
ABDUL-SAMAD of Polk  
BENNETT of Linn  
BERRY of Black Hawk  
BROWN-POWERS of Black Hawk  
COHOON of Des Moines  
DUNKEL of Dubuque  
FINKENAUER of Dubuque  
FORBES of Polk  
GAINES of Polk  
GASKILL of Wapello  
HALL of Woodbury  
HANSON of Jefferson  
HUNTER of Polk  
ISENHART of Dubuque  
JACOBY of Johnson

KELLEY of Jasper  
KRESSIG of Black Hawk  
LENSING of Johnson  
LYKAM of Scott  
MASCHER of Johnson  
McCONKEY of Pottawattamie  
OLDSON of Polk  
RUFF of Clayton  
RUNNING-MARQUARDT of Linn  
SMITH of Marshall  
STUTSMAN of Johnson  
T. TAYLOR of Linn  
THEDE of Scott  
WINCKLER of Scott  
WOLFE of Clinton

**H-1375** FILED MAY 20, 2015

SENATE FILE 510

H-1376

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 26 by inserting:

5 <Sec. \_\_\_\_\_. PAID FAMILY LEAVE INTERIM ADVISORY  
6 COMMITTEE.

7 1. A legislative paid family leave interim advisory  
8 committee is created under the authority of the  
9 legislative council charged with investigating policies  
10 to ensure all working families have access to paid  
11 family leave as a benefit of employment. The advisory  
12 committee shall consist of the following members:

13 a. The speaker of the house of representatives  
14 shall appoint three public members and one legislator.

15 b. The minority leader of the house of  
16 representatives shall appoint two public members and  
17 one legislator.

18 c. The majority leader of the senate shall appoint  
19 three public members and one legislator.

20 d. The minority leader of the senate shall appoint  
21 two public members and one legislator.

22 2. The chairpersons of the advisory committee shall  
23 be those members of the general assembly so appointed  
24 by the speaker of the house of representatives and the  
25 majority leader of the senate.

26 3. Members of the general assembly serving on  
27 the advisory committee are eligible for per diem and  
28 reimbursement of actual expenses as provided in section  
29 2.10. Public members of the advisory committee are  
30 entitled to receive a per diem as specified in section  
31 7E.6 for each day spent in performance of duties as  
32 members at meetings of the advisory committee and shall  
33 be reimbursed for all actual and necessary expenses  
34 incurred in the performance of duties as members at  
35 meetings.

36 4. The advisory committee shall conduct a  
37 fifty-state survey of paid family leave policies and  
38 develop recommendations to implement a plan for Iowa.  
39 By December 31, 2015, the advisory committee shall  
40 submit a final report to the general assembly which  
41 shall include findings and recommendations of the  
42 advisory committee.

43 5. The legislative council may employ or contract  
44 with a person to assist the advisory committee in  
45 carrying out its duties. The person employed or  
46 contracted with to assist the advisory committee shall  
47 gather and coordinate information for the use of the  
48 advisory committee including the fifty-state survey  
49 required under subsection 4. The legislative council  
50 shall not expend more than \$100,000 for purposes of

H-1376

1 this subsection.>

2 2. By renumbering as necessary.

<b>By</b> RUNNING-MARQUARDT of Linn	MASCHER of Johnson
ABDUL-SAMAD of Polk	H. MILLER of Webster
BERRY of Black Hawk	RUFF of Clayton
FORBES of Polk	SMITH of Marshall
GASKILL of Wapello	T. TAYLOR of Linn
HALL of Woodbury	WESSEL-KROESCHELL of Story
HANSON of Jefferson	WINCKLER of Scott
HUNTER of Polk	WOLFE of Clinton
LENSING of Johnson	



SENATE FILE 510

H-1377

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, after line 31, by inserting:

5 <DIVISION \_\_\_\_\_  
6 ANTIHARASSMENT AND ANTIBULLYING

7 Sec. \_\_\_\_\_. Section 256.9, Code 2015, is amended by  
8 adding the following new subsection:

9 NEW SUBSECTION. 66. Subject to an appropriation  
10 of funds by the general assembly, ensure each school  
11 district has access to adequate training on conducting  
12 investigations of complaints of incidents of harassment  
13 or bullying pursuant to section 280.28 by offering such  
14 training on an annual basis to at least one employee  
15 per district.

16 Sec. \_\_\_\_\_. NEW SECTION. 256.34 Bullying and  
17 violence prevention student mentoring pilot program.

18 1. Subject to an appropriation of funds by the  
19 general assembly, the department shall establish a  
20 student mentoring pilot program to explore how student  
21 leadership can help prevent bullying and violence in  
22 schools. The program shall promote best practices for  
23 bullying and violence prevention for middle and high  
24 school students.

25 2. The department shall establish the program in at  
26 least two middle schools and two high schools in the  
27 state. The selected schools shall include both urban  
28 and rural schools.

29 3. The department shall establish criteria for the  
30 selection of participating schools and evaluation of  
31 the program.

32 Sec. \_\_\_\_\_. Section 280.28, subsection 2, paragraphs  
33 a and c, Code 2015, are amended to read as follows:

34 a. "Electronic" means any communication involving  
35 the transmission of information by wire, radio,  
36 optical cable, electromagnetic, or other similar  
37 means. "Electronic" includes but is not limited to  
38 communication via electronic mail, internet-based  
39 communications including social networking sites, pager  
40 service, cell phones, and electronic text messaging,  
41 or any other electronic communication site, device, or  
42 means.

43 c. "Trait or characteristic of the student"  
44 includes but is not limited to age, color, creed,  
45 national origin, race, religion, marital status,  
46 sex, sexual orientation, gender identity, physical  
47 attributes, physical or mental ability or disability,  
48 ancestry, political party preference, political belief,  
49 socioeconomic status, ~~or~~ familial status, behavior,  
50 or any other distinguishing characteristic. This

1 paragraph shall be construed broadly to achieve the  
2 purposes of this section.

3 Sec. \_\_\_\_\_. Section 280.28, subsection 3, Code 2015,  
4 is amended by adding the following new paragraph:

5 NEW PARAGRAPH. h. A procedure for the notification  
6 as soon as practicable of the parents or guardians  
7 of the alleged targeted students and perpetrators  
8 in a reported incident of harassment or bullying.

9 The procedure shall include an exception to the  
10 notification requirement if a school official or a  
11 student whose parent or guardian would otherwise be  
12 notified reasonably believes notification would subject  
13 the student to rejection, abuse, or neglect.

14 Sec. \_\_\_\_\_. Section 280.28, Code 2015, is amended by  
15 adding the following new subsections:

16 NEW SUBSECTION. 9. Authority off school grounds.

17 a. A school official may investigate and impose  
18 school discipline in a founded case of harassment  
19 or bullying that occurs outside of school, off of  
20 school property, or away from a school function or  
21 school-sponsored activity if all of the following  
22 apply:

23 (1) An incident of harassment or bullying is  
24 reported pursuant to the school's policy adopted under  
25 subsection 3, paragraph "e".

26 (2) The alleged incident of harassment or bullying  
27 has an effect on a student on school grounds that  
28 creates an objectively hostile school environment  
29 that meets one or more of the conditions set out under  
30 subsection 2, paragraph "b".

31 b. A school official's investigation and response  
32 to an alleged incident of bullying or harassment that  
33 occurs outside of school, off of school property,  
34 or away from a school function or school-sponsored  
35 activity may include referring the matter to  
36 appropriate community-based agencies including but not  
37 limited to social services agencies, law enforcement  
38 agencies, and nonprofit organizations.

39 NEW SUBSECTION. 10. Rule of construction. This  
40 section shall not be construed to diminish a school  
41 administrator's discretion to impose discipline or  
42 take other action in the case of an unfounded incident  
43 of harassment or bullying if a student's behavior  
44 otherwise constitutes student misconduct based on other  
45 grounds.

46 Sec. \_\_\_\_\_. Section 282.18, subsection 11, Code 2015,  
47 is amended to read as follows:

48 11. A pupil who participates in open enrollment  
49 for purposes of attending a grade in grades nine  
50 through twelve in a school district other than the

1 district of residence is ineligible to participate  
2 in varsity interscholastic athletic contests and  
3 athletic competitions during the pupil's first ninety  
4 school days of enrollment in the district except that  
5 the pupil may participate immediately in a varsity  
6 interscholastic sport if the pupil is entering grade  
7 nine for the first time and did not participate in  
8 an interscholastic athletic competition for another  
9 school or school district during the summer immediately  
10 following eighth grade, if the district of residence  
11 and the other school district jointly participate  
12 in the sport, if the sport in which the pupil wishes  
13 to participate is not offered in the district of  
14 residence, if the pupil chooses to use open enrollment  
15 to attend school in another school district because  
16 the district in which the student previously attended  
17 school was dissolved and merged with one or more  
18 contiguous school districts under section 256.11,  
19 subsection 12, if the pupil participates in open  
20 enrollment because the pupil's district of residence  
21 has entered into a whole grade sharing agreement with  
22 another district for the pupil's grade, or if the  
23 parent or guardian of the pupil participating in open  
24 enrollment is an active member of the armed forces and  
25 resides in permanent housing on government property  
26 provided by a branch of the armed services, or if the  
27 district of residence determines that the pupil was  
28 subject to a founded incident of harassment or bullying  
29 as defined in section 280.28 while attending school in  
30 the district of residence in the current or previous  
31 school year and both the district of residence and  
32 the other school district agree to allow the pupil to  
33 participate immediately in a varsity interscholastic  
34 sport. A pupil who has paid tuition and attended  
35 school, or has attended school pursuant to a mutual  
36 agreement between the two districts, in a district  
37 other than the pupil's district of residence for at  
38 least one school year is also eligible to participate  
39 immediately in interscholastic athletic contests and  
40 athletic competitions under this section, but only as  
41 a member of a team from the district that pupil had  
42 attended. For purposes of this subsection, "school  
43 days of enrollment" does not include enrollment in  
44 summer school. For purposes of this subsection,  
45 "varsity" means the same as defined in section 256.46.  
46 Sec. \_\_\_\_\_. SCHOOL CLIMATE AND BULLYING WORK GROUP.  
47 1. The department of education shall convene a  
48 public-private work group of representatives of state  
49 and local agencies, citizens, community groups, and  
50 organizations who have experience and expertise in

1 the areas of antibullying education, research, and  
2 training. The work group, after reviewing existing  
3 research, data, and strategies, shall provide  
4 recommendations to the department regarding best  
5 practices, training, resources, additional research  
6 needs, data collection, changes to state law and  
7 administrative rules, and any other matters to enhance  
8 statewide school climate improvement and bullying  
9 prevention, awareness, and intervention.

10 2. The membership of the work group shall include  
11 but not be limited to the following, to be appointed  
12 by the director:

- 13 a. At least three Iowans who are experts in
- 14 research-based antibullying curricula or programs.
- 15 b. A public or nonpublic high school student.
- 16 c. A parent of a student enrolled in a public
- 17 elementary or secondary school on a full-time basis.
- 18 d. A parent of a student enrolled in a nonpublic
- 19 elementary or secondary school on a full-time basis.
- 20 e. A member from nominees submitted by the school
- 21 administrators of Iowa.
- 22 f. A member from nominees submitted by the Iowa
- 23 association of school boards.
- 24 g. A member from nominees submitted by the Iowa
- 25 state education association.
- 26 h. Representatives from any organizations
- 27 representing other relevant public or nonpublic school
- 28 professionals.
- 29 i. A representative from a statewide organization
- 30 that provides research-based training on bullying for
- 31 school professionals.
- 32 j. A representative from at least one statewide
- 33 organization with at least five years' experience
- 34 in advocating on bullying prevention based on
- 35 research-based best practices.
- 36 k. A representative for children placed in foster
- 37 care.
- 38 l. A representative of school counselors.
- 39 m. A member from nominees submitted by the Iowa
- 40 parent teacher association.

41 3. When making appointments to the work group, the  
42 director shall ensure that public, nonpublic, urban,  
43 and rural schools are adequately represented by the  
44 membership of the work group.

45 4. The work group shall also include two ex officio  
46 members of each house of the general assembly. One  
47 member each shall be selected by the majority leader of  
48 the senate and by the minority leader of the senate,  
49 and one member each shall be selected by the speaker  
50 of the house of representatives and by the minority

1 leader of the house of representatives. Members of the  
2 general assembly shall serve for terms as provided in  
3 section 69.16B and shall be entitled to receive per  
4 diem and necessary travel and actual expenses pursuant  
5 to section 2.10, subsection 5, while carrying out their  
6 official duties as members of the work group.

7 5. The department shall convene the work group  
8 by October 1, 2015. The work group shall submit its  
9 findings and recommendations in a final report to the  
10 department and the chairpersons and ranking members of  
11 the senate and house education committees by December  
12 15, 2016.>

<b>By</b> HALL of Woodbury	LENSING of Johnson
ABDUL-SAMAD of Polk	LYKAM of Scott
BENNETT of Linn	McCONKEY of Pottawattamie
BROWN-POWERS of Black Hawk	OLDSON of Polk
COHOON of Des Moines	RUFF of Clayton
FINKENAUER of Dubuque	SMITH of Marshall
FORBES of Polk	STUTSMAN of Johnson
GAINES of Polk	T. TAYLOR of Linn
GASKILL of Wapello	THEDE of Scott
HUNTER of Polk	WESSEL-KROESCHELL of Story
ISENHART of Dubuque	WINCKLER of Scott
KELLEY of Jasper	

SENATE FILE 510

H-1378

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 31, before line 32 by inserting:

5 <DIVISION \_\_\_\_\_  
6 NONREGISTERED CHILD CARE HOME PROVIDERS ---- BACKGROUND  
7 CHECKS

8 Sec. \_\_\_\_\_. Section 237A.5, subsection 2, paragraph  
9 a, subparagraph (1), Code 2015, is amended by adding  
10 the following new subparagraph division:

11 NEW SUBPARAGRAPH DIVISION. (f) The person will  
12 reside or resides in a child care home that is not  
13 registered under this chapter and that does not receive  
14 public funding for providing child care.

15 Sec. \_\_\_\_\_. Section 237A.5, subsection 2, paragraph  
16 d, subparagraph (2), Code 2015, is amended to read as  
17 follows:

18 (2) Except as otherwise provided by law, the cost  
19 of a national criminal history check conducted in  
20 accordance with subparagraph (1) and the state record  
21 checks conducted in accordance with paragraph "c" that  
22 are conducted in connection with a person's involvement  
23 with a child care center or that are conducted in  
24 connection with a person's involvement with a child  
25 care home pursuant to paragraph "a", subparagraph (1),  
26 subparagraph division (f), are not the responsibility  
27 of the department. The department is responsible for  
28 the cost of such checks conducted in connection with a  
29 person's involvement with a child development home or a  
30 child care home pursuant to paragraph "a", subparagraph  
31 (1), subparagraph division (e).>

32 2. By renumbering as necessary.

<b>By</b> MASCHER of Johnson	KRESSIG of Black Hawk
ABDUL-SAMAD of Polk	LENSING of Johnson
ANDERSON of Polk	OLDSON of Polk
BENNETT of Linn	PRICHARD of Floyd
BERRY of Black Hawk	RUFF of Clayton
FORBES of Polk	RUNNING-MARQUARDT of Linn
GASKILL of Wapello	STAED of Linn
HANSON of Jefferson	T. TAYLOR of Linn
HEDDENS of Story	THEDE of Scott
HUNTER of Polk	WESSEL-KROESCHELL of Story
JACOBY of Johnson	WINCKLER of Scott
KEARNS of Lee	

H-1378 FILED MAY 20, 2015

SENATE FILE 510

H-1379

1 Amend the amendment, H-1365, to Senate File 510,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 17, after line 5 by inserting:

5 <Sec. \_\_\_\_\_. Section 124.204, subsection 4,  
6 paragraphs m and u, Code 2015, are amended by striking  
7 the paragraphs.>

8 2. Page 18, after line 13 by inserting:

9 <Sec. \_\_\_\_\_. Section 124.204, subsection 7, Code  
10 2015, is amended by striking the subsection.>

11 3. Page 20, after line 15 by inserting:

12 <Sec. \_\_\_\_\_. Section 124.206, subsection 7, Code  
13 2015, is amended to read as follows:

14 7. Hallucinogenic substances. Unless specifically  
15 excepted or unless listed in another schedule, any  
16 material, compound, mixture, or preparation which  
17 contains any quantity of the following substances,  
18 or, for purposes of paragraphs "a" and "b", which  
19 contains any of its salts, isomers, or salts of isomers  
20 whenever the existence of such salts, isomers, or salts  
21 of isomers is possible within the specific chemical  
22 designation (for purposes of this paragraph only, the  
23 term "isomer" includes the optical, positional, and  
24 geometric isomers):

25 a. ~~Marijuana when used for medicinal purposes~~  
26 ~~pursuant to rules of the board.~~

27 b. Tetrahydrocannabinols, meaning  
28 tetrahydrocannabinols naturally contained in a  
29 plant of the genus Cannabis (Cannabis plant) as well  
30 as synthetic equivalents of the substances contained  
31 in the Cannabis plant, or in the resinous extractives  
32 of such plant, and synthetic substances, derivatives,  
33 and their isomers with similar chemical structure and  
34 pharmacological activity to those substances contained  
35 in the plant, such as the following:

36 (1) 1 cis or trans tetrahydrocannabinol, and their  
37 optical isomers.

38 (2) 6 cis or trans tetrahydrocannabinol, and their  
39 optical isomers.

40 (3) 3,4 cis or trans tetrahydrocannabinol, and  
41 their optical isomers. (Since nomenclature of these  
42 substances is not internationally standardized,  
43 compounds of these structures, regardless of numerical  
44 designation of atomic positions covered.)

45 ~~b. c.~~ c. Nabilone [another name for  
46 nabilone: (+-) -  
47 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-  
48 hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].>

49 4. Page 22, after line 47 by inserting:

50 <Sec. \_\_\_\_\_. Section 124.401, subsection 5,

H-1379



1 unnumbered paragraph 3, Code 2015, is amended to read  
2 as follows:

3 A person may knowingly or intentionally recommend,  
4 possess, use, dispense, deliver, transport, or  
5 administer ~~cannabidiol~~ medical cannabis if the  
6 recommendation, possession, use, dispensing, delivery,  
7 transporting, or administering is in accordance with  
8 the provisions of chapter ~~124D~~ 124E. For purposes of  
9 this paragraph, ~~"cannabidiol"~~ "medical cannabis" means  
10 the same as defined in section ~~124D.2~~ 124E.2.>

11 5. Page 25, after line 19 by inserting:

12 <Sec. \_\_\_\_\_. NEW SECTION. 124E.1 Short title.

13 This chapter shall be known and may be cited as the  
14 "Medical Cannabis Act".

15 Sec. \_\_\_\_\_. NEW SECTION. 124E.2 Definitions.

16 As used in this chapter:

17 1. "Debilitating medical condition" means any of the  
18 following:

- 19 a. Cancer.
- 20 b. Multiple sclerosis.
- 21 c. Epilepsy.
- 22 d. AIDS or HIV as defined in section 141A.1.
- 23 e. Glaucoma.
- 24 f. Hepatitis C.
- 25 g. Crohn's disease or ulcerative colitis.
- 26 h. Amyotrophic lateral sclerosis.
- 27 i. Ehlers-danlos syndrome.
- 28 j. Post-traumatic stress disorder.
- 29 k. Severe, chronic pain caused by an underlying

30 medical condition that is not responsive to  
31 conventional treatment or conventional treatment that  
32 produces debilitating side effects.

33 1. Any other chronic or debilitating disease or  
34 medical condition or its medical treatment approved by  
35 the department pursuant to rule.

36 2. "Department" means the department of public  
37 health.

38 3. "Disqualifying felony offense" means a violation  
39 under federal or state law of a felony offense, which  
40 has as an element the possession, use, or distribution  
41 of a controlled substance, as defined in 21 U.S.C.  
42 {802(6)}.

43 4. "Enclosed, locked facility" means a closet, room,  
44 greenhouse, or other enclosed area equipped with locks  
45 or other security devices that permit access only by a  
46 cardholder.

47 5. "Health care practitioner" means an individual  
48 licensed under chapter 148 to practice medicine  
49 and surgery or osteopathic medicine and surgery, a  
50 physician assistant licensed under chapter 148C, or

1 an advanced registered nurse practitioner licensed  
2 pursuant to chapter 152 or 152E.

3 6. "Medical cannabis" means any species of the genus  
4 cannabis plant, or any mixture or preparation of them,  
5 including whole plant extracts and resins.

6 7. "Medical cannabis dispensary" means an entity  
7 licensed under section 124E.8 that acquires medical  
8 cannabis from a medical cannabis manufacturer in this  
9 state for the purpose of dispensing medical cannabis in  
10 this state pursuant to this chapter.

11 8. "Medical cannabis manufacturer" means an entity  
12 licensed by the department to manufacture and to  
13 possess, cultivate, transport, or supply medical  
14 cannabis pursuant to the provisions of this chapter.

15 9. "Primary caregiver" means a person, at least  
16 eighteen years of age, who has been designated by a  
17 patient's health care practitioner or a person having  
18 custody of a patient, as a necessary caretaker taking  
19 responsibility for managing the well-being of the  
20 patient with respect to the use of medical cannabis  
21 pursuant to the provisions of this chapter.

22 10. "Written certification" means a document signed  
23 by a health care practitioner, with whom the patient  
24 has established a patient-provider relationship, which  
25 states that the patient has a debilitating medical  
26 condition and identifies that condition and provides  
27 any other relevant information.

28 Sec. \_\_\_\_\_. NEW SECTION. 124E.3 Health care  
29 practitioner certification ---- duties.

30 1. Prior to a patient's submission of an  
31 application for a medical cannabis card pursuant to  
32 section 124E.4, a health care practitioner shall do all  
33 of the following:

34 a. Determine, in the health care practitioner's  
35 medical judgment, whether the patient whom the health  
36 care practitioner has examined and treated suffers from  
37 a debilitating medical condition that qualifies for  
38 the use of medical cannabis under this chapter, and  
39 if so determined, provide the patient with a written  
40 certification of that diagnosis.

41 b. Provide explanatory information as provided by  
42 the department to the patient about the therapeutic use  
43 of medical cannabis.

44 2. Determine, on an annual basis, if the patient  
45 continues to suffer from a debilitating medical  
46 condition and, if so, issue the patient a new  
47 certification of that diagnosis.

48 3. Otherwise comply with all requirements  
49 established by the department pursuant to rule.

50 4. A health care practitioner may provide, but has

1 no duty to provide, a written certification pursuant  
2 to this section.

3 Sec. \_\_\_\_\_. NEW SECTION. 124E.4 Medical cannabis  
4 registration card.

5 1. Issuance to patient. The department may approve  
6 the issuance of a medical cannabis registration card by  
7 the department of transportation to a patient who:

8 a. Is at least eighteen years of age.

9 b. Is a permanent resident of this state.

10 c. Submits a written certification to the  
11 department signed by the patient's health care  
12 practitioner that the patient is suffering from a  
13 debilitating medical condition.

14 d. Submits an application to the department, on a  
15 form created by the department, in consultation with  
16 the department of transportation, that contains all of  
17 the following:

18 (1) The patient's full name, Iowa residence  
19 address, date of birth, and telephone number.

20 (2) A copy of the patient's valid photo  
21 identification.

22 (3) Full name, address, and telephone number of the  
23 patient's health care practitioner.

24 (4) Full name, residence address, date of birth,  
25 and telephone number of each primary caregiver of the  
26 patient, if any.

27 (5) Any other information required by rule.

28 e. Submits a medical cannabis registration card  
29 fee of one hundred dollars to the department. If the  
30 patient attests to receiving social security disability  
31 benefits, supplemental security insurance payments, or  
32 being enrolled in medical assistance, the fee shall be  
33 twenty-five dollars.

34 2. Patient card contents. A medical cannabis  
35 registration card issued to a patient by the department  
36 of transportation pursuant to subsection 1 shall  
37 contain, at a minimum, all of the following:

38 a. The patient's full name, Iowa residence address,  
39 and date of birth.

40 b. The patient's photo.

41 c. The date of issuance and expiration date of the  
42 registration card.

43 d. Any other information required by rule.

44 3. Issuance to primary caregiver. For a patient in  
45 a primary caregiver's care, the department may approve  
46 the issuance of a medical cannabis registration card  
47 by the department of transportation to the primary  
48 caregiver who:

49 a. Is at least eighteen years of age.

50 b. Submits a written certification to the

1 department signed by the patient's health care  
2 practitioner that the patient in the primary  
3 caregiver's care is suffering from a debilitating  
4 medical condition.

5 c. Submits an application to the department, on a  
6 form created by the department, in consultation with  
7 the department of transportation, that contains all of  
8 the following:

9 (1) The primary caregiver's full name, residence  
10 address, date of birth, and telephone number.

11 (2) The patient's full name.

12 (3) A copy of the primary caregiver's valid photo  
13 identification.

14 (4) Full name, address, and telephone number of the  
15 patient's health care practitioner.

16 (5) Any other information required by rule.

17 d. Submits a medical cannabis registration card fee  
18 of twenty-five dollars to the department.

19 4. Primary caregiver card contents. A medical  
20 cannabis registration card issued by the department  
21 of transportation to a primary caregiver pursuant to  
22 subsection 3 shall contain, at a minimum, all of the  
23 following:

24 a. The primary caregiver's full name, residence  
25 address, and date of birth.

26 b. The primary caregiver's photo.

27 c. The date of issuance and expiration date of the  
28 registration card.

29 d. The registration card number of each patient  
30 in the primary caregiver's care. If the patient  
31 in the primary caregiver's care is under the age of  
32 eighteen, the full name of the patient's parent or  
33 legal guardian.

34 e. Any other information required by rule.

35 5. Expiration date of card. A medical cannabis  
36 registration card issued pursuant to this section shall  
37 expire one year after the date of issuance and may be  
38 renewed.

39 6. Card issuance ---- department of  
40 transportation. The department may enter into  
41 a chapter 28E agreement with the department of  
42 transportation to facilitate the issuance of medical  
43 cannabis registration cards pursuant to subsections 1  
44 and 3.

45 Sec. \_\_\_\_\_. NEW SECTION. 124E.5 Medical advisory  
46 board ---- duties.

47 1. No later than August 15, 2015, the director  
48 of public health shall establish a medical advisory  
49 board consisting of nine practitioners representing the  
50 fields of neurology, pain management, gastroenterology,

1 oncology, psychiatry, pediatrics, infectious disease,  
2 family medicine, and pharmacy, and three patients  
3 with valid medical cannabis registration cards. The  
4 practitioners shall be nationally board-certified in  
5 their area of specialty and knowledgeable about the use  
6 of medical cannabis.

7 2. A quorum of the advisory board shall consist of  
8 seven members.

9 3. The duties of the advisory board shall include  
10 but not be limited to the following:

11 a. Reviewing and recommending to the department for  
12 approval additional chronic or debilitating diseases or  
13 medical conditions or their treatments as debilitating  
14 medical conditions that qualify for the use of medical  
15 cannabis under this chapter.

16 b. Accepting and reviewing petitions to add chronic  
17 or debilitating diseases or medical conditions or their  
18 medical treatments to the list of debilitating medical  
19 conditions that qualify for the use of medical cannabis  
20 under this chapter.

21 c. Advising the department regarding the location  
22 of medical cannabis dispensaries throughout the state,  
23 the form and quantity of allowable medical cannabis to  
24 be dispensed to a patient or primary caregiver, and the  
25 general oversight of medical cannabis manufacturers and  
26 medical cannabis dispensaries in this state.

27 d. Convening at least twice per year to conduct  
28 public hearings and to evaluate petitions, which  
29 shall be maintained as confidential personal health  
30 information, to add chronic or debilitating diseases or  
31 medical conditions or their medical treatments to the  
32 list of debilitating medical conditions that qualify  
33 for the use of medical cannabis under this chapter.

34 Sec. \_\_\_\_\_. NEW SECTION. 124E.6 Medical cannabis  
35 manufacturer licensure.

36 1. a. The department shall license four medical  
37 cannabis manufacturers to manufacture medical cannabis  
38 within this state consistent with the provisions of  
39 this chapter by December 1, 2015. The department shall  
40 license new medical cannabis manufacturers or relicense  
41 the existing medical cannabis manufacturers by December  
42 1 of each year.

43 b. Information submitted during the application  
44 process shall be confidential until the medical  
45 cannabis manufacturer is licensed by the department  
46 unless otherwise protected from disclosure under state  
47 or federal law.

48 2. As a condition for licensure, a medical cannabis  
49 manufacturer must agree to begin supplying medical  
50 cannabis to medical cannabis dispensaries in this state

1 by July 1, 2016.

2 3. The department shall consider the following  
3 factors in determining whether to license a medical  
4 cannabis manufacturer:

5 a. The technical expertise of the medical cannabis  
6 manufacturer in medical cannabis.

7 b. The qualifications of the medical cannabis  
8 manufacturer's employees.

9 c. The long-term financial stability of the medical  
10 cannabis manufacturer.

11 d. The ability to provide appropriate security  
12 measures on the premises of the medical cannabis  
13 manufacturer.

14 e. Whether the medical cannabis manufacturer  
15 has demonstrated an ability to meet certain medical  
16 cannabis production needs for medical use regarding  
17 the range of recommended dosages for each debilitating  
18 medical condition, the range of chemical compositions  
19 of any plant of the genus cannabis that will likely  
20 be medically beneficial for each of the debilitating  
21 medical conditions, and the form of the medical  
22 cannabis in the manner determined by the department  
23 pursuant to rule.

24 f. The medical cannabis manufacturer's projection  
25 of and ongoing assessment of fees on patients with  
26 debilitating medical conditions.

27 4. The department shall require each medical  
28 cannabis manufacturer to contract with the state  
29 hygienic laboratory at the university of Iowa in Iowa  
30 City to test the medical cannabis produced by the  
31 manufacturer. The department shall require that the  
32 laboratory report testing results to the manufacturer  
33 in a manner determined by the department pursuant to  
34 rule.

35 5. Each entity submitting an application for  
36 licensure as a medical cannabis manufacturer shall pay  
37 a nonrefundable application fee of seven thousand five  
38 hundred dollars to the department.

39 Sec. \_\_\_\_\_. NEW SECTION. 124E.7 Medical cannabis  
40 manufacturers.

41 1. A medical cannabis manufacturer shall contract  
42 with the state hygienic laboratory at the university  
43 of Iowa in Iowa City for purposes of testing the  
44 medical cannabis manufactured by the medical cannabis  
45 manufacturer as to content, contamination, and  
46 consistency. The cost of all laboratory testing shall  
47 be paid by the medical cannabis manufacturer.

48 2. The operating documents of a medical cannabis  
49 manufacturer shall include all of the following:

50 a. Procedures for the oversight of the medical

1 cannabis manufacturer and procedures to ensure accurate  
2 record keeping.

3 b. Procedures for the implementation of appropriate  
4 security measures to deter and prevent the theft of  
5 medical cannabis and unauthorized entrance into areas  
6 containing medical cannabis.

7 3. A medical cannabis manufacturer shall implement  
8 security requirements, including requirements for  
9 protection of each location by a fully operational  
10 security alarm system, facility access controls,  
11 perimeter intrusion detection systems, and a personnel  
12 identification system.

13 4. A medical cannabis manufacturer shall not share  
14 office space with, refer patients to, or have any  
15 financial relationship with a health care practitioner.

16 5. A medical cannabis manufacturer shall not permit  
17 any person to consume medical cannabis on the property  
18 of the medical cannabis manufacturer.

19 6. A medical cannabis manufacturer is subject to  
20 reasonable inspection by the department.

21 7. A medical cannabis manufacturer shall not  
22 employ a person under eighteen years of age or who has  
23 been convicted of a disqualifying felony offense. An  
24 employee of a medical cannabis manufacturer shall be  
25 subject to a background investigation conducted by the  
26 division of criminal investigation of the department  
27 of public safety and a national criminal history  
28 background check.

29 8. A medical cannabis manufacturer shall not  
30 operate in any location, whether for manufacturing,  
31 cultivating, harvesting, packaging, or processing,  
32 within one thousand feet of a public or private school  
33 existing before the date of the medical cannabis  
34 manufacturer's licensure by the department.

35 9. A medical cannabis manufacturer shall comply  
36 with reasonable restrictions set by the department  
37 relating to signage, marketing, display, and  
38 advertising of medical cannabis.

39 10. a. A medical cannabis manufacturer shall  
40 provide a reliable and ongoing supply of medical  
41 cannabis to medical cannabis dispensaries pursuant to  
42 this chapter.

43 b. All manufacturing, cultivating, harvesting,  
44 packaging, and processing of medical cannabis shall  
45 take place in an enclosed, locked facility at a  
46 physical address provided to the department during the  
47 licensure process.

48 c. A medical cannabis manufacturer shall not  
49 manufacture edible medical cannabis products utilizing  
50 food coloring.



1 Sec. \_\_\_\_\_. NEW SECTION. 124E.8 Medical cannabis  
2 dispensary licensure.

3 1. a. The department shall license by April 1,  
4 2016, twelve medical cannabis dispensaries to dispense  
5 medical cannabis within this state consistent with  
6 the provisions of this chapter. The department shall  
7 license new medical cannabis dispensaries or relicense  
8 the existing medical cannabis manufacturers by December  
9 1 of each year.

10 b. Information submitted during the application  
11 process shall be confidential until the medical  
12 cannabis dispensary is licensed by the department  
13 unless otherwise protected from disclosure under state  
14 or federal law.

15 2. As a condition for licensure, a medical cannabis  
16 dispensary must agree to begin supplying medical  
17 cannabis to patients by July 1, 2016.

18 3. The department shall consider the following  
19 factors in determining whether to license a medical  
20 cannabis dispensary:

21 a. The technical expertise of the medical cannabis  
22 dispensary regarding medical cannabis.

23 b. The qualifications of the medical cannabis  
24 dispensary's employees.

25 c. The long-term financial stability of the medical  
26 cannabis dispensary.

27 d. The ability to provide appropriate security  
28 measures on the premises of the medical cannabis  
29 dispensary.

30 e. The medical cannabis dispensary's projection  
31 and ongoing assessment of fees for the purchase of  
32 medical cannabis on patients with debilitating medical  
33 conditions.

34 4. Each entity submitting an application for  
35 licensure as a medical cannabis dispensary shall pay a  
36 nonrefundable application fee of five thousand dollars  
37 to the department.

38 Sec. \_\_\_\_\_. NEW SECTION. 124E.9 Medical cannabis  
39 dispensaries.

40 1. a. The medical cannabis dispensaries shall be  
41 located based on geographical need throughout the state  
42 to improve patient access.

43 b. A medical cannabis dispensary may dispense  
44 medical cannabis pursuant to the provisions of this  
45 chapter but shall not dispense any medical cannabis  
46 in a form or quantity other than the form or quantity  
47 allowed by the department pursuant to rule.

48 2. The operating documents of a medical cannabis  
49 dispensary shall include all of the following:

50 a. Procedures for the oversight of the medical

1 cannabis dispensary and procedures to ensure accurate  
2 record keeping.

3     b. Procedures for the implementation of appropriate  
4 security measures to deter and prevent the theft of  
5 medical cannabis and unauthorized entrance into areas  
6 containing medical cannabis.

7     3. A medical cannabis dispensary shall implement  
8 security requirements, including requirements for  
9 protection by a fully operational security alarm  
10 system, facility access controls, perimeter intrusion  
11 detection systems, and a personnel identification  
12 system.

13     4. A medical cannabis dispensary shall not share  
14 office space with, refer patients to, or have any  
15 financial relationship with a health care practitioner.

16     5. A medical cannabis dispensary shall not permit  
17 any person to consume medical cannabis on the property  
18 of the medical cannabis dispensary.

19     6. A medical cannabis dispensary is subject to  
20 reasonable inspection by the department.

21     7. A medical cannabis dispensary shall not employ  
22 a person under eighteen years of age or who has been  
23 convicted of a disqualifying felony offense. An  
24 employee of a medical cannabis dispensary shall be  
25 subject to a background investigation conducted by the  
26 division of criminal investigation of the department  
27 of public safety and a national criminal history  
28 background check.

29     8. A medical cannabis dispensary shall not operate  
30 in any location within one thousand feet of a public or  
31 private school existing before the date of the medical  
32 cannabis dispensary's licensure by the department.

33     9. A medical cannabis dispensary shall comply with  
34 reasonable restrictions set by the department relating  
35 to signage, marketing, display, and advertising of  
36 medical cannabis.

37     10. Prior to dispensing of any medical cannabis,  
38 a medical cannabis dispensary shall do all of the  
39 following:

40     a. Verify that the medical cannabis dispensary has  
41 received a valid medical cannabis registration card  
42 from a patient or a patient's primary caregiver, if  
43 applicable.

44     b. Assign a tracking number to any medical cannabis  
45 dispensed from the medical cannabis dispensary.

46     c. (1) Properly package medical cannabis in  
47 compliance with federal law regarding child resistant  
48 packaging and exemptions for packaging for elderly  
49 patients, and label medical cannabis with a list of  
50 all active ingredients and individually identifying

1 information, including all of the following:

2 (a) The name and date of birth of the patient and  
3 the patient's primary caregiver, if appropriate.

4 (b) The medical cannabis registration card numbers  
5 of the patient and the patient's primary caregiver, if  
6 applicable.

7 (c) The chemical composition of the medical  
8 cannabis.

9 (2) Proper packaging of medical cannabis shall  
10 include but not be limited to all of the following:

11 (a) Warning labels regarding the use of medical  
12 cannabis by a woman during pregnancy and while  
13 breastfeeding.

14 (b) Clearly labeled packaging indicating that  
15 an edible medical cannabis product contains medical  
16 cannabis and which packaging shall not imitate candy  
17 products or in any way make the product marketable to  
18 children.

19 11. A medical cannabis dispensary shall employ a  
20 pharmacist licensed pursuant to chapter 155A.

21 Sec. \_\_\_\_\_. NEW SECTION. 124E.10 Fees.

22 Medical cannabis registration card fees and medical  
23 cannabis manufacturer and medical cannabis dispensary  
24 application and annual fees collected by the department  
25 pursuant to this chapter shall be retained by the  
26 department, shall be considered repayment receipts  
27 as defined in section 8.2, and shall be used for the  
28 purpose of regulating medical cannabis manufacturers  
29 and medical cannabis dispensaries and for other  
30 expenses necessary for the administration of this  
31 chapter.

32 Sec. \_\_\_\_\_. NEW SECTION. 124E.11 Department duties  
33 ---- rules.

34 1. a. The department shall maintain a confidential  
35 file of the names of each patient to or for whom the  
36 department issues a medical cannabis registration card  
37 and the name of each primary caregiver to whom the  
38 department issues a medical cannabis registration card  
39 under section 124E.4.

40 b. Individual names contained in the file shall be  
41 confidential and shall not be subject to disclosure,  
42 except as provided in subparagraph (1).

43 (1) Information in the confidential file maintained  
44 pursuant to paragraph "a" may be released on an  
45 individual basis to the following persons under the  
46 following circumstances:

47 (a) To authorized employees or agents of the  
48 department and the department of transportation as  
49 necessary to perform the duties of the department and  
50 the department of transportation pursuant to this

1 chapter.

2 (b) To authorized employees of state or local  
3 law enforcement agencies, but only for the purpose of  
4 verifying that a person is lawfully in possession of a  
5 medical cannabis registration card issued pursuant to  
6 this chapter.

7 (c) To authorized employees of a medical cannabis  
8 dispensary, but only for the purpose of verifying  
9 that a person is lawfully in possession of a medical  
10 cannabis registration card issued pursuant to this  
11 chapter.

12 (2) Release of information pursuant to subparagraph  
13 (1) shall be consistent with the federal Health  
14 Insurance Portability and Accountability Act of 1996,  
15 Pub. L. No. 104-191.

16 2. The department shall adopt rules pursuant to  
17 chapter 17A to administer this chapter which shall  
18 include but not be limited to rules to do all of the  
19 following:

20 a. Govern the manner in which the department shall  
21 consider applications for new and renewal medical  
22 cannabis registration cards.

23 b. Identify criteria and set forth procedures for  
24 including additional chronic or debilitating diseases  
25 or medical conditions or their medical treatments  
26 on the list of debilitating medical conditions that  
27 qualify for the use of medical cannabis. Procedures  
28 shall include a petition process and shall allow for  
29 public comment and public hearings before the medical  
30 advisory board.

31 c. Set forth additional chronic or debilitating  
32 diseases or medical conditions or their medical  
33 treatments for inclusion on the list of debilitating  
34 medical conditions that qualify for the use of medical  
35 cannabis as recommended by the medical advisory board.

36 d. Establish the form and quantity of medical  
37 cannabis allowed to be dispensed to a patient or  
38 primary caregiver pursuant to this chapter. The  
39 form and quantity of medical cannabis shall be  
40 appropriate to serve the medical needs of patients with  
41 debilitating conditions.

42 e. Establish requirements for the licensure  
43 of medical cannabis manufacturers and medical  
44 cannabis dispensaries and set forth procedures for  
45 medical cannabis manufacturers and medical cannabis  
46 dispensaries to obtain licenses.

47 f. Develop a dispensing system for medical cannabis  
48 within this state that provides for all of the  
49 following:

50 (1) Medical cannabis dispensaries within this state

1 housed on secured grounds and operated by licensed  
2 medical cannabis dispensaries.

3 (2) The dispensing of medical cannabis to patients  
4 and their primary caregivers to occur at locations  
5 designated by the department.

6 g. Establish and collect annual fees from  
7 medical cannabis manufacturers and medical cannabis  
8 dispensaries to cover the costs associated with  
9 regulating and inspecting medical cannabis  
10 manufacturers and medical cannabis dispensaries.

11 h. Specify and implement procedures that address  
12 public safety including security procedures and product  
13 quality including measures to ensure contaminant-free  
14 cultivation of medical cannabis, safety, and labeling.

15 i. Establish and implement a real-time,  
16 statewide medical cannabis registry management  
17 sale tracking system that is available to medical  
18 cannabis dispensaries on a twenty-four-hour-day,  
19 seven-day-a-week basis for the purpose of verifying  
20 that a person is lawfully in possession of a medical  
21 cannabis registration card issued pursuant to this  
22 chapter and for tracking the date of the sale and  
23 quantity of medical cannabis purchased by a patient or  
24 a primary caregiver.

25 j. Establish and implement a medical cannabis  
26 inventory and delivery tracking system to track  
27 medical cannabis from production by a medical cannabis  
28 manufacturer through dispensing at a medical cannabis  
29 dispensary.

30 Sec. \_\_\_\_\_. NEW SECTION. 124E.12 Reciprocity.

31 A valid medical cannabis registration card, or its  
32 equivalent, issued under the laws of another state  
33 that allows an out-of-state patient to possess or use  
34 medical cannabis in the jurisdiction of issuance shall  
35 have the same force and effect as a valid medical  
36 cannabis registration card issued pursuant to this  
37 chapter, except that an out-of-state patient in this  
38 state shall not obtain medical cannabis from a medical  
39 cannabis dispensary in this state.

40 Sec. \_\_\_\_\_. NEW SECTION. 124E.13 Use of medical  
41 cannabis ---- smoking prohibited.

42 A patient shall not consume medical cannabis  
43 possessed or used as authorized by this chapter by  
44 smoking medical cannabis.

45 Sec. \_\_\_\_\_. NEW SECTION. 124E.14 Use of medical  
46 cannabis ---- affirmative defenses.

47 1. A health care practitioner, including any  
48 authorized agent or employee thereof, shall not be  
49 subject to prosecution for the unlawful certification,  
50 possession, or administration of marijuana under the

1 laws of this state for activities arising directly  
2 out of or directly related to the certification or  
3 use of medical cannabis in the treatment of a patient  
4 diagnosed with a debilitating medical condition as  
5 authorized by this chapter.

6 2. A medical cannabis manufacturer, including any  
7 authorized agent or employee thereof, shall not be  
8 subject to prosecution for manufacturing, possessing,  
9 cultivating, harvesting, packaging, processing,  
10 transporting, or supplying medical cannabis pursuant  
11 to this chapter.

12 3. A medical cannabis dispensary, including any  
13 authorized agent or employee thereof, shall not be  
14 subject to prosecution for transporting, supplying, or  
15 dispensing medical cannabis pursuant to this chapter.

16 a. In a prosecution for the unlawful possession  
17 of marijuana under the laws of this state, including  
18 but not limited to chapters 124 and 453B, it is an  
19 affirmative and complete defense to the prosecution  
20 that the patient has been diagnosed with a debilitating  
21 medical condition, used or possessed medical  
22 cannabis pursuant to a certification by a health care  
23 practitioner as authorized under this chapter, and,  
24 for a patient eighteen years of age or older, is in  
25 possession of a valid medical cannabis registration  
26 card.

27 b. In a prosecution for the unlawful possession  
28 of marijuana under the laws of this state, including  
29 but not limited to chapters 124 and 453B, it is an  
30 affirmative and complete defense to the prosecution  
31 that the person possessed medical cannabis because the  
32 person is a primary caregiver of a patient who has been  
33 diagnosed with a debilitating medical condition and is  
34 in possession of a valid medical cannabis registration  
35 card, and where the primary caregiver's possession of  
36 the medical cannabis is on behalf of the patient and  
37 for the patient's use only as authorized under this  
38 chapter.

39 c. If a patient or primary caregiver is charged  
40 with the commission of a crime and is not in possession  
41 of the person's medical cannabis registration card,  
42 any charge or charges filed against the person shall  
43 be dismissed by the court if the person produces to  
44 the court prior to or at the person's trial a medical  
45 cannabis registration card issued to that person and  
46 valid at the time the person was charged.

47 4. An agency of this state or a political  
48 subdivision thereof, including any law enforcement  
49 agency, shall not remove or initiate proceedings to  
50 remove a patient under the age of eighteen from the

1 home of a parent based solely upon the parent's or  
2 patient's possession or use of medical cannabis as  
3 authorized under this chapter.

4 Sec. \_\_\_\_\_. NEW SECTION. 124E.15 Penalties.

5 1. A person who knowingly or intentionally  
6 possesses or uses medical cannabis in violation of  
7 the requirements of this chapter is subject to the  
8 penalties provided under chapters 124 and 453B.

9 2. A medical cannabis manufacturer or a medical  
10 cannabis dispensary shall be assessed a civil penalty  
11 of up to one thousand dollars per violation for any  
12 violation of this chapter in addition to any other  
13 applicable penalties.>

14 6. Page 26, after line 31 by inserting:

15 <Sec. \_\_\_\_\_. REPEAL. Chapter 124D, Code 2015, is  
16 repealed.

17 Sec. \_\_\_\_\_. EMERGENCY RULES.

18 1. The department may adopt emergency rules under  
19 section 17A.4, subsection 3, and section 17A.5,  
20 subsection 2, paragraph "b", to implement the following  
21 provisions of this division of this Act:

22 a. The section of this division of this Act  
23 amending section 124.204, subsection 4, paragraphs m  
24 and u.

25 b. The section of this division of this Act  
26 amending section 124.204, subsection 7.

27 c. The section of this division of this Act  
28 amending section 124.206, subsection 7.

29 d. The section of this division of this Act  
30 amending section 124.401, subsection 5, unnumbered  
31 paragraph 3.

32 e. The sections of this division of this Act  
33 enacting sections 124E.1, 124E.2, 124E.3, 124E.4,  
34 124E.5, 124E.6, 124E.7, 124E.8, 124E.9, 124E.10,  
35 124E.11, 124E.12, 124E.13, 124E.14, and 124E.15.

36 2. The rules shall be effective immediately upon  
37 filing unless a later date is specified in the rules.

38 3. Any rules adopted in accordance with this  
39 section shall also be published as a notice of intended  
40 action as provided in section 17A.4.

41 Sec. \_\_\_\_\_. TRANSITION PROVISIONS. A medical  
42 cannabis registration card issued under chapter 124D  
43 prior to July 1, 2015, remains effective and continues  
44 in effect as issued for the twelve-month period  
45 following its issuance. Chapter 124E, as enacted in  
46 this division of this Act, does not preclude the permit  
47 holder from seeking to renew the permit under chapter  
48 124E, as enacted in this division of this Act, prior to  
49 the expiration of the twelve-month period.

50 Sec. \_\_\_\_\_. REPORTS. The university of Iowa Carver



1 college of medicine and college of pharmacy shall,  
2 on or before July 1 of each year, beginning July  
3 1, 2016, submit a report detailing the scientific  
4 literature, studies, and clinical trials regarding the  
5 use of medical cannabis on patients diagnosed with  
6 debilitating medical conditions as defined in section  
7 124E.2, as enacted in this division of this Act, to the  
8 department of public health and the general assembly.>  
9 7. By renumbering as necessary.

<b>By</b> KRESSIG of Black Hawk	LYKAM of Scott
ABDUL-SAMAD of Polk	MASCHER of Johnson
ANDERSON of Polk	H. MILLER of Webster
BENNETT of Linn	OLDSON of Polk
BROWN-POWERS of Black Hawk	RUFF of Clayton
COHOON of Des Moines	RUNNING-MARQUARDT of Linn
FINKENAUER of Dubuque	STAED of Linn
FORBES of Polk	STUTSMAN of Johnson
GAINES of Polk	T. TAYLOR of Linn
GASKILL of Wapello	THEDE of Scott
HANSON of Jefferson	WESSEL-KROESCHELL of Story
HUNTER of Polk	WINCKLER of Scott
JACOBY of Johnson	WOLFE of Clinton
LENSING of Johnson	